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THE

WAR OF THE REBELLION:

A COMPILATION OF THE

OFFICIAL RECORDS

OF THE

UNION AND CONFEDERATE ARMIES.

PUBLISHED UNDER THE DIRECTION OF

The Hon. ELIHU ROOT, Secretary of War,

BY

BRIG. GEN. FRED C. AINSWORTH,

CHIEF OF THE RECORD AND PENSION OFFICE, WAR DEPARTMENT,

AND

MR. JOSEPH W. KIRKLEY.

SERIES IV—VOLUME II.

LIBRARY OF THE UNIVERSITY OF CALIFORNIA

WASHINGTON:

GOVERNMENT PRINTING OFFICE.

1900.

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PREFACE.

LIBRARY OF THE UNIVERSITY OF CALIFORNIA

The work of preparing the records of the war for public use was begun, under the resolution of Congress of May 19, 1864, by Col. E. D. Townsend, assistant adjutant-general, U. S. Army (then in charge of the Adjutant-General's Office, and subsequently the Adjutant-General), who caused copies to be made of reports of battles on file in his office and steps to be taken to collect missing records.

Under the provisions of joint resolution of July 27, 1866, Hon. Peter H. Watson was appointed to supervise the preparation of the records and to formulate a plan for their publication, but he performed no service under this appointment, which expired July 27, 1868, by limitation. This resolution having also repealed the former one, the project was suspended for the time being.

The first decisive step taken was the act of June 23, 1874, providing the necessary means "to enable the Secretary of War to begin the publication of the Official Records of the War of the Rebellion, both of the Union and Confederate Armies," and directing him "to have copied for the Public Printer all reports, letters, telegrams, and general orders, not heretofore copied or printed, and properly arranged in chronological order." Appropriations have been made from time to time for continuing such preparation. Under this act the preliminary work was resumed by General Townsend.

Subsequently, under meager appropriations, it was prosecuted in a somewhat desultory manner by various subordinates of the War Department until December 14, 1877, when the Secretary of War, perceiving that the undertaking needed the undivided attention of a single head, detailed Capt. Robert N. Scott, Third U. S. Artillery (subsequently major and lieutenant-colonel same regiment), to take charge of the office.

The act of June 23, 1874, enlarged upon the first scheme of publication. On this more comprehensive basis it was determined that the volumes should include not only the battle reports, correspondence, etc., in possession of the War Department, but also "all official documents that can be obtained by the compiler, and that appear to be of any historical value." Colonel Scott systematized the work, and, upon his recommendation, the Secretary of War approved the following order of publication:

The first series will embrace the formal reports, both Union and Confederate, of the first seizures of United States property in the Southern States, and of all military operations in the field, with the correspondence, orders, and returns relating specially thereto, and, as proposed, is to be accompanied by an Atlas.

In this series the reports will be arranged according to the campaigns and several theaters of operations (in the chronological order of events), and the Union reports of any event will, as a rule, be immediately followed by the Confederate accounts. The correspondence, etc., not embraced in the "reports" proper will follow (first Union and next Confederate) in chronological order.

The second series will contain the correspondence, orders, reports, and returns, Union and Confederate, relating to prisoners of war, and (so far as the military authorities were concerned) to state or political prisoners.

The third series will contain the correspondence, orders, reports, and returns of the Union authorities (embracing their correspondence with the Confederate officials) not relating specially to the subjects of the first and second series. It will set forth the annual and special reports of the Secretary of War, of the General-in-Chief, and of the chiefs of the several staff corps and departments; the calls for troops, and the correspondence between the National and the several State authorities.

The fourth series will exhibit the correspondence, orders, reports, and returns of the Confederate authorities, similar to that indicated for the Union officials, as of the third series, but excluding the correspondence between the Union and Confederate authorities given in that series.

The first volume of the records was issued in the early fall of 1880. The act approved June 16, 1880, provided "for the printing and binding, under direction of the Secretary of War, of 10,000 copies of a compilation of the Official Records (Union and Confederate) of the War of the Rebellion, so far as the same may be ready for publication, during the fiscal year;" and that "of said number 7,000 copies shall be for the use of the House of Representatives, 2,000 copies for the use of the Senate, and 1,000 copies for the use of the Executive Departments." Under this act Colonel Scott proceeded to publish the first five volumes of the records.*

*All subsequent volumes have been distributed under the act approved August 7, 1882, which provides that:

"The volumes of the Official Records of the War of the Rebellion shall be distributed as follows: One thousand copies to the Executive Departments, as now provided by law. One thousand copies for distribution by the Secretary of War among officers of the Army and contributors to the work. Eight thousand three hundred copies shall be sent by the Secretary of War to such libraries, organizations, and individuals as may be designated by the Senators, Representatives, and Delegates of the Forty-seventh Congress. Each Senator shall designate not exceeding twenty-six, and each Representative and Delegate not exceeding twenty-one, of such addresses, and the volumes shall be sent thereto from time to time as they are published, until the publication is completed. Senators, Representatives, and Delegates shall inform the Secretary of War in each case how many volumes of those heretofore published they have forwarded to such addresses. The remaining copies of the eleven thousand to be published, and all sets that may not be ordered to be distributed as provided herein, shall be sold by the Secretary of War for cost of publication with ten per cent. added thereto, and the proceeds of such sale shall be covered into the Treasury. If two or more sets of said volumes are ordered to the same address, the Secretary of War shall inform the Senators, Representatives, or Delegates who have designated the same, who thereupon may designate other libraries, organizations, or individuals. The Secretary of War shall report to the first session of the Forty-eighth Congress what volumes of the series heretofore published have not been furnished to such libraries, organizations, and individuals. He shall also inform distributees at whose instance the volumes are sent."

Colonel Scott died March 5, 1887. At his death some twenty-six books only had been issued, but he had compiled a large amount of matter for forthcoming volumes; consequently his name as compiler was retained in all the books up to and including Vol. XXXVI, although his successors had added largely to his compilations from new material found after his demise.

The Secretary of War, May 7, 1887, assigned Lieut. Col. H. M. Lazelle, Twenty-third U. S. Infantry, to duty as the successor of Colonel Scott. He had continued in charge about two years, when, in the act approved March 2, 1889, it was provided—

> That hereafter the preparation and publication of said records shall be conducted, under the Secretary of War, by a board of three persons, one of whom shall be an officer of the Army, and two civilian experts, to be appointed by the Secretary of War, the compensation of said civilian experts to be fixed by the Secretary of War.

The Secretary of War appointed Maj. George B. Davis, judge-advocate, U. S. Army, as the military member, and Leslie J. Perry, of Kansas, and Joseph W. Kirkley, of Maryland, as the civilian expert members of said board. The board assumed direction of the publication at the commencement of the fiscal year 1889, its first work beginning with Serial No. 36 of Vol. XXIV.

July 1, 1895, by direction of the Secretary of War, Maj. George W. Davis, Eleventh U. S. Infantry (subsequently lieutenant-colonel Fourteenth U. S. Infantry), relieved Maj. George B. Davis as the military member and president of the Board of Publication. Subsequently Col. Fred C. Ainsworth, Chief of the Record and Pension Office, War Department, was appointed the military member and president of the board, relieving Lieut. Col. George W. Davis June 1, 1898.

December 1, 1898, under the provision of the sundry civil act of July 1, 1898, relative to the War Records Office, the Board of Publication was dissolved, whereupon, by direction of the Secretary of War, the continuance of the work, beginning with Vol. VI, Series II, devolved on Colonel (now Brigadier-General) Ainsworth.

By operation of law (contained in "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900," approved February 24, 1899), the War Records Office was merged into the Record and Pension Office, July 1, 1899, and since that date the work of publication has been conducted under the supervision of the chief of that office.

Each volume includes a copious index, and for the further convenience of investigators there will be, in addition, a separate general index to the entire set.

Nothing is printed in these volumes except duly authenticated contemporaneous records of the war. The scope of the compiler's work is to decide upon and arrange the matter to be published; to correct and verify the orthography of the papers used, and, wherever deemed necessary, to add a foot-note of explanation.

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ADDITIONS AND CORRECTIONS

TO

SERIES IV—VOLUME II.

(To be inserted in the volume. For explanation see General Index volume, Serial No. 130, page XXVIII.)

PUBLISHED UNDER THE DIRECTION OF

The Hon. ELIHU ROOT, Secretary of War,

BY

BRIG. GEN. FRED C. AINSWORTH,

CHIEF OF THE RECORD AND PENSION OFFICE, WAR DEPARTMENT,

AND

MR. JOSEPH W. KIRKLEY.

Mr. JOHN S. MOODEY, Indexer.

WASHINGTON:

GOVERNMENT PRINTING OFFICE.

1902.

TEXT.

Page 143. After *Indorsement* on Mallory to Randolph, strike out date line *Richmond, October 25, 1862*, and address *Hon. S. R. Mallory, Secretary of the Navy.*

Page 213. J. A. S. to The Adjutant-General, first line, for *I send* read *Issue.*

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Insert all words and figures in *italics* and strike out all in [brackets].

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  Correspondence, Subsistence Department, C. S. A., 960.
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UNIVERSITY OF CALIFORNIA

SERIES IV.—VOL. II.

CORRESPONDENCE, ORDERS, REPORTS, AND RETURNS OF THE CONFEDERATE AUTHORITIES, JULY 1, 1862–DECEMBER 31, 1863.*

GENERAL ORDERS, No. 46.

WAR DEPARTMENT, ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, July 1, 1862.*

I. The following regulations are published for the information of the Army:

1. Paragraph III, General Orders, No. 24, current series,† is so modified as to permit the appointment of brigade ordnance officers, who shall have the rank and pay of first lieutenants of artillery.

2. Brigade ordnance officers so appointed will be subject to the division ordnance officers, so far as relates to ordnance duties, and will make requisitions on them. They will also make such reports as may be required to the division ordnance officers.

3. Ordnance-sergeants of regiments will be subject to and make reports to the brigade ordnance officers.

4. Since the act of April 19, 1862, providing an ordnance-sergeant to each regiment, the acting appointees, authorized under General Orders, No. 24, current series, and made by colonels of regiments, will be reported for appointment under the above act in cases where such report has not been made to the Ordnance Bureau. Hereafter the appointments will be made to regiments as to military posts, by the Secretary of War, and upon the recommendation of colonels of regiments, through the Ordnance Bureau, the non-commissioned officers recommended being at once placed upon duty in anticipation of the appointment.

II. Paragraph IV, General Orders, No. 44, current series,‡ is hereby rescinded, and the following paragraph is substituted in lieu thereof:

Persons under eighteen and over thirty-five years of age who have re-enlisted for three years or the war are not entitled to their discharge under the conscript act. Persons of the ages above mentioned who enlisted for twelve months, or for a shorter term, will be entitled to their discharge ninety days after the expiration of their term of service.

* * * * * * *

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General.

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*The letters-sent books of the C. S. War Department from May 23 to September 12, 1862, were never received by the U. S. authorities. This will explain the want of continuity in the letters from that office covering the period mentioned.

† See Vol. I, this series, p. 1065.

‡ *Ibid.*, p. 1154.

SURGEON-GENERAL'S OFFICE,
Richmond, July 3, 1862.

Surg. T. H. WILLIAMS,
Medical Inspector, Danville, Va.:

SIR: You are instructed to inform the medical officers within your district who examine recruits that they should not be rejected for trivial defects, but all passed who are capable of bearing arms. A certificate of disability from any medical man is not a sufficient cause for the rejection of a recruit. It is requisite that such certificates should come from a medical officer designated or detailed for their examination.

Very respectfully, your obedient servant,

S. P. MOORE,
Surgeon-General.

GENERAL ORDERS, No. 47.

WAR DEPARTMENT,
ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, July 9, 1862.

I. The reception of unnaturalized foreigners as substitutes in the Army is hereby forbidden.

II. Commissioned officers of new companies, battalions, and regiments coming into service will take rank from the date of acceptance in the service of the Confederate States; which date of acceptance will not precede the complete organization of the company, battalion, or regiment, the proof of which will be considered in the act of muster, or of any exercise of authority by the Confederate States over the company, battalion, or regiment.

III. Where companies of the same battalion or regiment enter the service on the same day, the relative rank of the officers of the same grade therein will be determined by lot, except in the case of former commissions in the Confederate service, when the fifth paragraph of the General Regulations of the Army will govern.

IV. The relative rank of commissioned officers of companies, battalions, or regiments, who continue in service by re-election to the same grade in the same corps, will be fixed by the date of their original election or appointment; but those who change their grade or corps by re-election will take rank from the date of such re-election.

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General.

RICHMOND, VA., *July 10, 1862.*

Governor JOSEPH E. BROWN,
Atlanta, Ga.:

DEAR SIR: I have received your letter of the 21st ultimo and would have contented myself with the simple acknowledgment of its receipt but for one or two matters contained in it which seem to require distinct reply. I deemed it my duty to state my views in relation to the constitutionality of the conscription law for the reasons mentioned in my letter to you, but it was no part of my intention to enter into a protracted discussion. It was convenient to send my views to others than yourself, and for this purpose I caused my letter, together

with yours, to be printed in pamphlet form. I am not aware of having omitted any part of your observations, nor did I anticipate any further correspondence on the subject. I supposed you had fully stated your views, as I had stated mine, and no practicable benefit could be attained by further discussion. It is due, however, to myself to disclaim in the most pointed manner a doctrine which you have pleased to attribute to me, and against which you indulge in lengthened argument. Neither in my letter to you, nor in any sentiment ever expressed by me, can there be found just cause to impute to me the belief that Congress is the final judge of the constitutionality of a contested power. I said in my letter that "when a specific power is granted Congress is the judge whether the law passed for the purpose of executing that power is necessary and proper." I never asserted, nor intended to assert, that after the passage of such laws it might not be declared unconstitutional by the courts, on complaint made by an individual, nor that the judgment of Congress was conclusive against a State, as supposed by you; nor that all the co-ordinate branches of the General Government could together finally decide a question of the reserved rights of a State. The right of each State to judge in the last resort whether its reserved powers had been usurped by the General Government is too familiar and well-settled a principle to admit of discussion. As I cannot see, however, after the most respectful consideration of all that you have said, anything to change my conviction that Congress has exercised only a plainly granted specific power in raising its armies by conscription, I cannot share the alarm and concern about State rights which you so evidently feel, but which to me seem quite unfounded.

I am, very respectfully, yours,

JEFF'N DAVIS.

GENERAL ORDERS, No. 48.

WAR DEPARTMENT,
ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, July 11, 1862.

I. The appointments of general officers and officers of the general staff in the Provisional Army, being made under special authority and for specific objects, terminate with their commands, except in case of assignment to other appropriate duties.

II. General Orders, No. 17, Adjutant and Inspector General's Office, November 7, 1861, authorizing discharges from the service and furloughs by brigade commanders, are hereby revoked.

III. Paragraphs 160 and 161, Regulations for the Army, published March 13, 1862, are revoked, and the following regulations are substituted:

160. When a non-commissioned officer or soldier shall be unfit for military service in consequence of wounds, disease, or infirmity, his captain shall forward to the commandant of the department, or of the army in the field, through the commander of the regiment or post, a statement of the case, with "certificates of disability," signed by the senior surgeon of the regiment or post, according to the form prescribed in the Medical Regulations. If the recommendation for the discharge of the invalid be approved, the authority therefor will be indorsed on the "certificates of disability," which will be sent back to be completed and signed by the commanding officer of the regiment or command to which the invalid's company belongs, who will also

sign the discharge and cause the final statements to be made out, and forward the certificates of disability to the Adjutant and Inspector General.

161. When a non-commissioned officer or soldier is absent from his regiment or company, in hospital, and shall be unfit for military service for the reasons set forth in the preceding paragraph, the senior surgeon of the hospital will make out "certificates of disability" and forward them through the commander of the company or regiment to the commander of the department or of the army in the field, whose approval being given the commanding officer will complete and forward the certificates of disability to the Adjutant and Inspector General and send the papers of discharge to the surgeon. But when access to commanders is difficult, and attended with great delay, the certificates of disability may, in urgent cases, be forwarded by the surgeon to the Surgeon-General for approval; which being given, the discharge will be authorized from the Adjutant and Inspector General's Office, and the surgeon will make out final statements.

IV. Medical officers are prohibited from recommending leaves of absence and furloughs to sick and wounded officers and soldiers, except when it is absolutely necessary for them to go home to be restored to health; in which case the soldier only will be entitled to transportation, to be given in kind.

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, July 13, 1862.

Hon. G. W. RANDOLPH,
Secretary of War:

SIR: Without designing to criticise the conduct or policy of the War Department, I will offer a suggestion, which may only receive such attention as it may merit. The large number of partisan rangers authorized, or claimed to be authorized, to be raised by the Department is interfering sadly with the enrollment of conscripts, and would therefore seem to be working a serious injury to the service, unless some great good was to be accomplished by them. I think the teachings of experience show that a long and thorough trainage of both men and horses is absolutely required to make cavalry effective, and a rare combination of talent is required for officers to drill or command or use cavalry to advantage. Without these advantages they are useless except for couriers or pickets. They are very expensive and contribute far more than any other corps to exhaust the resources of a country. The idea of being mounted is agreeable to the habits of our people and has attractions which will carry every one into the cavalry that will be allowed to join either cavalry or rangers, to the great detriment of the infantry. If I had not refused to receive cavalry and artillery companies there would not have been five infantry regiments from this State. I speak partly from experience, as I have raised and equipped two full cavalry regiments for the State, and I know the difficulty and expense of equipping and drilling them, and I fear that thus far they show but little return of service. Partisan rangers have a kind of separate and independent command, which is another attraction and, I might add, source of detriment.

Now, the eagerness of our conscripts to avoid enrollment by enlistment in those independent corps of partisan rangers sadly conflict with the progress of the enrolling officers. The substitutes, particularly, are placed in the rangers. Not believing they will accomplish much good and witnessing the difficulties they throw in the way of enrollment has prompted this communication, and I would suggest that any legal means to check them would be beneficial, particularly should the enrolled conscripts, or their substitutes in particular, be not allowed to go into the partisan rangers. I fear the move may even now be too late.

I am, most respectfully, yours,

HENRY T. CLARK.

[Indorsement.]

A list of the companies of partisan rangers will be furnished. It is not numerous and none were authorized who were not recommended by the general commanding. Probably companies have been raised without authority. If so, they will not be recognized, and the officers enrolling conscripts cannot exempt the members of partisan corps not authorized by the Department.

G. W. R.

GENERAL ORDERS, No. 49.

WAR DEPARTMENT, ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, July 14, 1862.*

All persons engaged in enrolling conscripts are hereby authorized and required to arrest deserters from the Army and to deliver them to the commandant of the nearest camp of instruction, or to lodge them in the nearest jail, and to return their names, company, and regiment to the Adjutant and Inspector General.

Jailers are requested to detain them, and will be allowed the fees and charges for the detention of prisoners prescribed by the laws of the State in which the jail is situated.

Enrolling officers are also required to report to the Adjutant and Inspector General the names and address of all persons absent from the Army without leave, whether by the expiration of their leaves of absence, furloughs, details, or otherwise; and where this unauthorized absence exceeds the time required to correspond with the War Department the enrolling officer will arrest the person and send him to the nearest camp of instruction, reporting the arrest to the Adjutant and Inspector General.

Commandants of camps of instruction are required to forward deserters and persons absent without leave to their regiments, and have the powers of arrest conferred upon enrolling officers.

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General.

CIRCULAR.] ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, July 14, 1862.*

OFFICERS ENROLLING CONSCRIPTS:

Agreeably to General Orders, No. 49, current series, this day published, you are required to arrest all deserters, and, under certain circumstances, all persons absent from the Army without leave.

The public welfare requires you to discharge this duty and the more important duty of enrolling conscripts with the utmost activity, and without fear, favor, or affection.

Our capacity to improve the recent victories now favoring our arms depends mainly upon your exertions to fill the ranks of our armies.

If you are zealous and active we shall make our enemy taste the bitterness of war; if you are negligent we shall continue to witness its ravages on our own soil.

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General.

SPECIAL ORDERS, No. 163. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, July 15, 1862.*

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XIII. Lieut. Col. Larkin Smith, assistant quartermaster-general, will assume the duties of Quartermaster-General during the temporary absence of Col. A. C. Myers.

* * * * * * *

By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

[JULY 16, 1862.—For Bragg to Cooper, in relation to the perplexities and difficulties growing out of the existing laws and regulations touching army organization when enforced, &c., see Series I, Vol. XVII, Part II, p. 647.]

SPARTA, GA., *July 17, 1862.*

Hon. G. W. RANDOLPH,
Secretary of War:

DEAR SIR: I address you a line in behalf of a number of our citizens in different parts of the State. After the passage of the conscript act and before enrollment was authorized to commence quite a number volunteered in new regiments, organized under authority previously granted, and procured substitutes and were received by the officers, as they supposed they had a right to do under the law. The enrolling officers now hold these parties subject to service, notwithstanding they have substitutes in their places, upon the grounds that not more than one substitute per month could be received into any company. This is deemed hard and oppressive. I suggest to you that instructions be given to Major Dunwody that all persons in this State liable to conscription shall be exempt who honestly and bona fide has a substitute not liable to conscription in service in his place. The clear intention of the conscription act was to allow such substitution, and when for want of proper information proper form has not been followed, but the substance obtained, any evil ensuing ought to be corrected, for if these parties had waited a few weeks and reported themselves to Major Dunwody with their substitutes they could, I take it for granted, have been received without question. I know of

my own knowledge several very clever gentlemen, highly patriotic, whose brothers were all in the war and whom it would have injured seriously in their private and business matters to leave home, and whom nothing but the most important considerations could have kept from the service, who procured substitutes in this way promptly and willingly, some of them at very high rates. It would certainly be hard now to require these men to go into service or to procure another substitute when they already have one in their stead. You understand me, I trust. All is very respectfully submitted to your attention and consideration. The extent of my suggestion is that those who now have substitutes in the service not liable to conscription shall be exempt, notwithstanding they may not have pursued strict form in the matter.

Yours, truly,

ALEXANDER H. STEPHENS.

P. S.—I am here for a few days on a visit and shall be at home in a week.

A. H. S.

CONFIDENTIAL CIRCULAR.

CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT,
Richmond, July 17, 1862.

SIR: Our armies are so much weakened by desertions, and by the absence of officers and men without leave, that we are unable to reap the fruits of our victories and to invade the territory of the enemy. We have resorted to courts-martial and military executions, and we have ordered all officers employed in enrolling conscripts to arrest both deserters and absentees, and offered rewards for the former. In Virginia the sheriffs, constables, and jailers have also been employed by the permission of the Governor, but still the evil continues, and unless public opinion comes to our aid we shall fail to fill our ranks in time to avail ourselves of the weakness and disorganization of the enemy.

Their resources enable them to repair defeat with great rapidity, and they are more numerous now in Virginia than they were before the recent battles near Richmond.

I must therefore beg Your Excellency's aid in bringing back to our colors all deserters and absentees. If you will authorize their arrest by State officers, and bring to our assistance the powerful influence of public opinion in your State, we may yet cross the Potomac before a fresh army is raised to oppose us.

It is desirable that this cause of weakness should be concealed as much as possible from the enemy, but we cannot adopt measures to remove it without risking to some extent a disclosure of its existence.

Very respectfully,

GEO. W. RANDOLPH,
Secretary of War.

(Sent to the Governors of States.)

[JULY 17, 1862.—For Blanchard to Randolph, inclosing Hindman's order for the enrollment of all white men between eighteen and thirty-five in volunteer infantry companies, the State authorities assenting, see Series I, Vol. XV, pp. 779–781.]

GENERAL ORDERS, No. 50.

WAR DEPARTMENT,
ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, July 18, 1862.

I. Conscripts engaged on Government work, either directly or by contractors, will not be taken from the work on which they are engaged, except for the purpose of enrollment, after which they will be returned on the certificate of the officer under whose charge the work is being performed, or with whom the contract is made. Such certificate will be presented to the enrolling officer, who will thereupon order the detail of the men specified for a period not to exceed sixty days. A duplicate of such detail will be forwarded at once to the Adjutant and Inspector General, and a triplicate to the chief of the department or bureau for which the work is performed.

Extensions of these details will be made when deemed necessary, on application through the heads of the departments or bureaus.

* * * * * * *

IV. Conscripts will be paid from the date of their departure from home for camp of instruction. Troops raised by the States under requisitions made on them by the Confederate States Government will be paid from the date of their assembling at the rendezvous for service, being already enlisted, or from the date of the enlistment, if that takes place at the rendezvous.

V. The only authority giving mileage or transportation to officers or soldiers in the field emanates from the general commanding the particular army.

VI. Arms and munitions of war belonging to States are strictly prohibited from being seized by any Confederate officer; and public arms and supplies will not be diverted from their legitimate destination by any officer of the Army.

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General.

NASSAU, NEW PROVIDENCE, *July 19, 1862.*

Hon. G. W. RANDOLPH,
Secretary of War, Richmond:

DEAR SIR: I have a word to say in regard to Mr. Hart and Mr. Isaac, who represent the interests here of S. Isaac, Campbell & Co., of London. They have shown a disposition to presume on the alleged services they have rendered to Government, services for which I suppose they have been most amply remunerated. Mr. Hart (for I have had no intercourse with Mr. Isaac) is a resident of New York, and, as the uncle of the latter, came out here to superintend the business transactions of the London firm. He has been sufficiently adroit not to address himself directly to me as regards his supposed grievances, but I do know that Isaac has openly boasted that the Government owes everything to his house, and that his reason for coming to Nassau was to take the business of running the blockade into his hands and monopolize it to the exclusion of John Fraser & Co., who, as he alleges, have not done one-half for the Government which his concern has accomplished. Of course you will estimate this braggadocio at its proper value, but I have cited it to show the animus by which he is guided.

The steamer Columbia arrived a few days since with a cargo consisting of two batteries of cannon complete. You will remember this is the boat I alluded to in my communication of the 28th ultimo. Unwilling to incur much risk, Mr. Hart has decided to unload a portion of the cargo and fill up the steamer with outside freight. He applied to Adderly & Co. for some of the Government freight, which, adhering to the plan of incurring no risk, he was willing to take at £40 per ton, payment to be made here, or its equivalent by satisfactory guarantee equal to about $370 at home, payable in advance. This in itself was conclusive as to my decision, but I told Adderly to say to Hart that if he would take something on the terms I have hitherto shipped, say from $265 to $360 per ton, payable in our currency, and on the landing of the goods, I might consent to ship a portion hereafter. Adderly advised Hart to address himself to me personally, but he replied that he only wished to deal with Adderly direct. Mr. Hart seemed little disposed to entertain this proposition, and muttered something about representing the matter in its proper light to Captain Huse and Messrs. Mason and Slidell. To Adderly I had no hesitation in saying that John Fraser & Co. were the staunch friends of Government, and that so far as I was concerned I should always give them the preference on equal terms. I feel convinced, moreover, that you will bear me out in this decision, aware as I am of the eminent services the house has rendered, and of the high sense of patriotism by which all their transactions with Government have been influenced. I dislike to intrude aught personal to myself, but I do trust you will receive the assurance in the spirit it is conveyed, that a sense of duty alone actuates me in the course I have pursued here as agent of the Government, that no inducement can swerve me to depart from the rule I have laid down to deal only with the real friends of our cause, and that as far as my interest is concerned it is simply identical with that I have been called upon to watch over. My intercourse with Mr. Lafitte, the agent of Fraser & Co., has been of the most satisfactory character. He has never failed to respond to any request I have made in behalf of the Government, and I consider it fortunate indeed that a gentleman of such sterling worth has been here, to whom on all occasions I could freely apply for advice and assistance.

I have deemed it proper to make these statements to you. The threats of outside parties who vaunt their attachment to Government, because, forsooth, it is for their interest to do so, cannot affect me. I look solely to you and the Government for approval of my course. It may hereafter be a matter for consideration how far the boasted services of S. Isaac, Campbell & Co. has been offset by the prices they have charged the Government for their supplies.

I am, very respectfully, your obedient servant,

L. HEYLIGER.

OFFICE PROVOST-MARSHAL,
Atlanta, Ga., July 20, 1862.

Hon. G. W. RANDOLPH,
Secretary of War, Richmond, Va.:

DEAR SIR: Please allow me to call your attention to a few evils which are being practiced in this country by men who ought to be in service, but by their wits succeed in keeping out. There are hundreds of men strolling through the country without any visible means

of support or papers to show who they are. Some of them are traveling through the country on orders forged by themselves purporting to be signed by a commander at some distant post; others stop over at a place long enough to steal money to get away on, &c. One of these parties I had arrested, and the report of the court of inquiry goes forward with this.

This being one of the most important places in our Confederacy on account of the great number of railroads centering here, all this class of men congregate at this point, as do also officers and soldiers absent from their commands without the proper papers; and as we are not in possession of such orders as warrant the arrest of such parties, I very much desire that instructions may issue from the Department that will cover all these points.

The pernicious practice of trading with the United States is carried to a very great extent through this city, and men are engaged in it who are indorsed by men who I am loth to distrust, but who will at the same time give $225 in Confederate notes for $100 in gold, and who will also give $120 or $125 for $100 of the issues of the banks of Alabama, Georgia, or South Carolina, in order to carry on this illicit trade. On this point I am anxious to have orders also.

Again, parties who are now residents and have been for years of this country, but were born and raised North, are now often slipping away and will be gone one, two, or three months to the North, and then return and stay here perhaps the same length of time and leave again. Another class, who come forward and say plainly that they have property North and desire to go there in order to secure it, or for their health, or to school their children, all of which looks to me as if they were only anxious to leave the country. On these points also I would like advice.

A thousand other things present themselves, but I have already trespassed too far, and I beg of you to excuse me for the intrusion.

Hoping that instructions will be issued that will cover all the points, I have the honor to be, your obedient servant,

G. J. FOREACRE,
Provost-Marshal.

P. S.—To turn any case over to civil authorities in times like this, at this particular point, is almost equal to allowing them to pass unnoticed.

G. J. F.

ATLANTA, GA., *July 22, 1862.*

His Excellency JEFFERSON DAVIS:

DEAR SIR: I have the honor to acknowledge the receipt of your letter of the 10th instant, and I am very happy to know that you disclaim the doctrine which I think every fair-minded man has attributed to you who has read your letter of the 29th of May last, and has construed plain English words according to their established meaning.

When a writer speaks of a tribune that is to be "the judge" of a case without qualification we certainly understand him to mean that this judge has the right to decide the case. And if the judge has this right, the decision must be binding upon all the parties, and no distinct and separate tribunal, as a different department of the Government, for instance, has the right to decide the same case after it has been decided by the judge having competent jurisdiction. It would seem to be a contradiction in terms to say that "when a specific power

is granted, Congress is the judge whether the law passed for the purpose of executing that power is necessary and proper," and that "the true and only test is to inquire whether the law is intended and calculated to carry out the object, whether it devises and creates an instrumentality for executing the specific power granted, and if the answer be in the affirmative the law is constitutional," and then to say, after this test has been applied, and Congress has passed judgment, that another department of the Government, as the President, or the judiciary, or another government, as a State, may take up the case thus decided by the tribunal having, under the Constitution, competent jurisdiction, and make a different decision. It is, I believe, an established principle in all civilized nations that when a court of competent jurisdiction, unless guilty of fraud or mistake, has finally decided a case, the judgment is conclusive upon all parties.

But you say you never asserted nor intended to assert that the judgment of Congress was conclusive against a State. Pardon me for saying that you did assert that Congress is the judge, and that you did not qualify the assertion by saying "the judge" in the first instance, nor did you annex any other qualification or exception in favor of the rights of a State or any other party. I had, therefore, no right to suppose that you intended to ingraft exceptions upon a rule which you laid down in the plainest terms, without exception.

I make the above references to your former letter to show that I had no disposition to do you injustice, and that I do not consider that I misrepresented your position as contained in your letter. The thousands of intelligent citizens in different parts of the Confederacy who have placed upon your letter the same construction which I had will doubtless be gratified that you now disclaim the dangerous doctrine as to the power of Congress to which your strong, unqualified language seemed clearly to connect you.

In reference to the publication by you of the two letters containing part of our correspondence, I need only say that you had devoted a large portion of your letter to a reply to my argument, which was before you, and had, in the same letter, for the first time, given the arguments by which you maintain your own position. These I had never seen, and, as you had replied at length to my argument, it was, I think, but fair and just, according to all rules of discussion, that I have an opportunity to reply to yours, and that the whole case be submitted to the country together. Unless there were important reasons of state which, in your judgment, made it necessary to place the discussion before the country incomplete, in order to satisfy the discontent which existed in the public mind on account of what a very large proportion of our people regard a dangerous usurpation, or unless other good reasons existed for a departure from the usual rule in such cases, I am unable to see why the whole correspondence, when given to the public, should not have gone through the usual official channels.

I have certainly had no wish to protract the discussion of this question further than duty and justice to the people of this State required. I feel that I cannot close, however, without again earnestly inviting your attention to a question which you must admit is "practical." I think I have established beyond doubt in my former letters the constitutional right of the State of Georgia to appoint the officers to command the regiments and battalions which she has sent into the service of the Confederate States in compliance with requisitions made by you upon her Executive for "organized bodies" of

troops. You admitted in your letters that these bodies "organized by the States," when called forth by the Confederacy to repel invasion, never came otherwise than with their company, field, and general officers. Your former Secretary of War, now Secretary of State, has also admitted the right of the State to appoint the officers to command the troops sent by her into the service of the Confederacy under requisitions from you. You have not thought proper in either of your letters to give any reason why the State should be denied the exercise of this clear constitutional right. In this state of the case you still exercise the appointing power which belongs to the State, and commission the officers who are to command these troops. The laws of this State give to these gallant men the right to elect their own officers and have them commissioned by the Executive of their own State. This question is of the more practical importance at present on account of a large number of gallant officers belonging to these regiments having lately fallen upon the battle-field, whose places are to be filled by others. The troops volunteered at the call of the State, with a knowledge of their right to elect those who were to command them, and went into the field with the assurance that they would be permitted to exercise this right. It is now denied them under the conscription act. Some of them have appealed to me to see that their rights are protected. As an act of justice to brave men who by their deeds of valor have rendered their names immortal, and as an act of duty which, as her Executive, I owe to the people of this State, I must be pardoned for again demanding for the Georgia State troops now under your command permission, in all cases in which they have already been deprived of it or which may hereafter arise, to have the company, field, and general officers who are to command them appointed by election and commissioned from the Executive of Georgia, as guaranteed to them by the Constitution of the Confederacy and the laws of the State. I make this demand with the greater confidence in view of the past history of your life. I have not the documents before me, but if I mistake not President Polk during the war against Mexico, in which you were the colonel of a gallant Mississippi regiment, tendered you the appointment of brigadier-general for distinguished services upon the battle-field, and you declined the appointment upon the ground that the President had no right under the Constitution to appoint a brigadier-general to command the State volunteers then employed in the service of the United States, but that the States and not the General Government had the right under the Constitution to make such appointments. If Congress could at that time confer upon the President no right, under the Constitution, to appoint a brigadier-general to command State troops in the service of the Confederacy, Congress certainly cannot now, under the same constitutional provision, confer upon the President the right to appoint not only the brigadier-generals, but also all the field and company officers of the State troops employed in the service of the Confederacy. May I not reasonably hope that the right for which I contend will be speedily recognized, and that you will give notice to the Georgia State troops, now under your control, who went into service under requisitions made upon the State by you, that they will no longer be denied the "practical benefits" resulting from the recognition.

You conclude your letter by saying you "cannot share the alarm and concern about State rights which I so evidently feel." I regret that you cannot. The views and opinions of the best of men are, how-

ever, influenced more or less by the positions in which they are placed and the circumstances by which they are surrounded. It is probably not unnatural that those who administer the affairs and disburse the patronage of a confederation of States should become to some extent biased in favor of the claims of the Confederacy when its powers are questioned, while it is equally natural that those who administer the affairs of the States and are responsible for the protection of their rights, should be the first to sound the alarm in case of encroachments by the Confederacy which tend to the subversion of the rights of the States. This principle of human nature may be clearly traced in the history of the Government of the United States. While that Government encroached upon the rights of the States from time to time, and was fast concentrating the whole power in its own hands, it is worthy of remark that the Federal Executive, exercising the vast powers and dispensing the immense patronage of his position, has seldom if ever been able to "share in the alarm and concern about State rights," which have on so many occasions been felt by the authorities and people of the respective States.

With renewed assurances of my high consideration and esteem,
I am, very respectfully, your obedient servant,
JOSEPH E. BROWN.

SURGEON-GENERAL'S OFFICE,
Richmond, July 22, 1862.

Surg. T. H. WILLIAMS,
Medical Director and Inspector, Danville, Va.:

SIR: The attention of medical directors is again called to pamphlet of March 21 and circular of April 2 from this office urging upon medical officers the necessity for collecting the indigenous botanical remedies of the South and employing them liberally in the treatment of the sick. Medical directors are now specially instructed to bring the subject promptly to the notice of the medical officers of their respective districts, and will be required to report to them what articles have been collected and in what quantities, in order that this office may be kept informed of the progress of this work.

The indigenous astringents, the crane's-bill, marsh rosemary, blackberry, sweet gum, &c., should be made available in the treatment of the bowel complaints of the warm season. In malarious districts the dogwood, tulip-bearing poplar, willow, boneset, centaury, and other indigenous tonics should be used as prophylactics as well as curatives. Especially should medical officers be instructed to procure an ample supply of articles of mucilaginous properties as the bene, the leaves of which are now about falling; the twigs, bark, and pith of sassafras; the bark of the elm, seed of the flax, or other accessible substances which might in a measure be substituted for the acacia or other imported articles of like character. Attention should also be particularly invited to a further investigation of the medicinal virtues of the Pinckneya pubens or calico bush (not the Kalmia latifolia or calico bush) frequenting South Carolina, Georgia, and more abundantly Middle Florida, it being closely allied in character to the cinchona, and having been used successfully in intermittent fever. Any interesting information elicited on this subject will be transmitted to this office.

With the ample supply of indigenous remedial agents afforded by the materia medica of the South and at their disposal in the vicinity

of every camp and garrison, it is considered an injustice to their profession and to their corps that medical officers should complain of a want of means of treating the sick under their charge, and it is to be hoped that the example of some few regimental medical officers who have had collected and used and have reported upon the beneficial results derived from the use of these remedies will be generally emulated. The receipt of these circulars will be acknowledged.

S. P. MOORE,
Surgeon-General.

GENERAL ORDERS, No. 52.

WAR DEPARTMENT,
ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, July 23, 1862.

I. It will be the duty of the commanding generals of separate armies to cause to be entered, in some conspicuous place on the standards of regiments, battalions, and separately organized squadrons of their commands, the names of the several battles in which their regiments, battalions, and separate squadrons have been actually engaged.

II. With a view to carry into effect so much of the act of April 21, 1862, as provides "that the President may, when in his opinion it is proper, fill any vacancy by the promotion of any officer, from any company, battalion, squadron, or regiment in which the same may occur, who shall have been distinguished in service by the exhibition of extraordinary valor or skill, and that when any vacancy shall occur in the lowest grade of commissioned officer of any company the same may be filled by selection, by the President, of any non-commissioned officer or private from the company in which said vacancy may occur, who shall have been distinguished in the service by the exhibition of extraordinary valor and skill," it will be the duty of the several commanding officers herein referred to to furnish reports setting forth the facts and circumstances of the "extraordinary valor and skill" displayed by such officers, non-commissioned officers, and privates as may be recommended by them for promotion, agreeably to the provision of this act. These reports will be passed through the ascending channel of communication provided by the Army Regulations to the commanding general, who will forward the same, with such remarks as he may deem necessary, to the Adjutant and Inspector General for the action of the Secretary of War.

III. The employés of railroad companies are authorized and requested to examine the passes and furloughs of soldiers passing over their roads, and to arrest all deserters and persons absent without leave from the Army, whenever they may be found on said roads, and to deliver them to an officer of the Army at the most convenient post or station, or to lodge them in jail and report their names and regiments to the Adjutant and Inspector General, Richmond. Thirty dollars will be paid for all deserters delivered to an officer, and $15 for each deserter lodged in jail. No allowance will be made for the expenses of apprehension and transportation. All jailers receiving deserters are requested to detain them. The usual allowance for prisoners will be made.

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General.

DEPARTMENT OF JUSTICE,
Richmond, July 24, 1862.

Hon. GEORGE W. RANDOLPH,
Secretary of War:

SIR: Your letter of this date propounds to me the following question: "The first section of the conscript law requires all persons under the age of eighteen years and over the age of thirty-five years to remain in their respective corps for ninety days, unless their places be sooner supplied. Does this mean ninety days from the passage of the act, or from the expiration of their term?"

The intention of the law-makers must be gathered from the language used in the law and from the context, looking at the mischief felt and the object and remedy in view. The language of the proviso to the first section of the act is:

> That all persons under the age of eighteen years or over the age of thirty-five, who are now enrolled in the military service of the Confederate States, in regiments, squadrons, battalions, and companies hereafter to be reorganized, shall be required to remain in their respective companies, squadrons, battalions, and regiments for ninety days, unless their places can be sooner supplied by other recruits not now in the service who are between the ages of eighteen and thirty-five years, &c.

This language is plain, and, according to well-established rules of construction, it must govern, unless there is something in other parts of the act which makes it necessary to disregard the particular intent thus manifested in order to accomplish the general purpose of the law-makers, made manifest by the whole of the parts compared together.

From what time shall we commence to count the ninety days? In our Government all laws take effect from the day of their passage, unless otherwise expressed. As no period is fixed by this law from which to commence the ninety days, we must commence from the day of the passage of the act. This is the grammatical as well as the legal construction of the language used. After a careful analysis and examination of the whole act, I can discover nothing which creates a doubt on the subject. This proviso applies to all persons under the age of eighteen and over that of thirty-five in companies, squadrons, battalions, and regiments which have the right given by the first section of the act to reorganize, *i. e.*, those enlisted for a term not longer than twelve months. As the contract with the Government binds the twelve-months' men for the whole stipulated term, I do not suppose that any over the age of thirty-five or under the age of eighteen can, under this law, be discharged on account of age until the expiration of their stipulated term, although some might be retained longer than ninety days after the passage of the act. My opinion is that all over the age of thirty-five and those under the age of eighteen whose term of service, according to enlistment, expires on or before the end of ninety days from the passage of the act are entitled to discharges at the end of said ninety days. All twelve-months' men over thirty-five and under eighteen years of age whose term of service, according to enlistment, does not expire within ninety days from the passage of the act will be entitled to discharge at the expiration of their term of service.

I have the honor to be, &c.,

T. H. WATTS,
Attorney-General.

HEADQUARTERS STATE OF SOUTH CAROLINA,
Columbia, July 24, 1862.

Hon. G. W. RANDOLPH,
Secretary of War:

SIR: I received yours dated 17th instant marked confidential. I have issued an order to the sheriffs and deputies of the different judicial districts of this State, a copy of which is herein inclosed.* I have inquired of the adjutant-general if there are many cases in this State such as your letter has reference to, and he informs me he thinks there are but few of that kind in this State. I deeply regret to know of this source of weakness to our armies. I have known for some time that one great source of disorganization in our forces has been the long furloughs given to supposed cases of permanent illness and wounded men. If we had some safe central place where permanent hospitals were erected on a large scale, one for the east and one for the west, where all sick and wounded could be sent in all cases that required time, it would obviate this difficulty in a great measure. Never let them be sent home unless where it is evident they never can be again fit for service. In that way they would always receive the best medical attendance and be sent back to their post in the earliest possible time. In many cases in the fights, particularly around Richmond, many have been sent home at a very warm time on crowded cars, when no surgeon who discharged his duty ought to have allowed it, for many die on the cars, and are left at the roadside hospitals to languish and finally die, who, if properly taken care of and not allowed to leave, might have been saved and gone back soon to the Army. I most respectfully call your attention to the loose manner in which furloughs have been granted and men sent off. In the Army of the West I believe it was worse, for in one of our regiments at Corinth of 1,000 men I believe near 600 came home, or, at least by report sent on, not more than 360 were reported for duty at one time. I have sent a copy of your letter and of my order to local officers to Lieut. Col. John S. Preston, your enrolling officer for this State, to receive from him any suggestions he may have. It will afford me great pleasure to do anything in my power to aid or strengthen you in effecting the purposes you desire. I would most respectfully suggest that the conscripts now here in camp be immediately sent on to you, for they can be trained better and quicker by being assigned to different regiments now in service than here, and if kept here they will become totally disorganized, and you will lose many of them. I earnestly call your attention to this point.

I am, most respectfully, your obedient servant,

F. W. PICKENS.

EXECUTIVE OFFICE,
Jackson, Miss., July 26, 1862. (Received August 7.)

Hon. G. W. RANDOLPH:

SIR: Your confidential letter in regard to men and officers absent from duty was received this morning and shall receive prompt attention. No effort shall be spared to fill up the ranks of our armies.

Please say to the President that the arms he sent me have not yet arrived and I have the militia ready waiting for them.

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*Not found.

Your commandants of camps for conscripts are calling them out and will soon get in service all liable to that duty.

J. J. PETTUS.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, July 26, 1862.

Hon. GEORGE W. RANDOLPH,
Secretary of War, Richmond, Va.:

SIR: The numerous appeals made to me for my influence to exempt certain very hard cases under the conscript act induces me to call your attention to three classes who seem to have pressing claims for your consideration:

First. Tanners—There are many small establishments of this sort which contribute essentially to the supply of a most necessary article, whose services cannot well be stopped. They supply neighborhoods, while larger tanneries supply the public.

Second. There is a class of millers who are directly and immediately necessary for a supply of food, and too poor to employ a substitute like their brethren on a larger scale, who are exempted without a substitute.

Third. Physicians themselves are not entitled to more than other professions or trades, yet it so happens from the number in the Army, either soldiers or surgeons, many large districts of country are likely to be without physicians if the conscript act is rigidly enforced. Doctors are an admitted necessity. All of them should not be excused, but a regulation which would leave one to each district would be most favorably esteemed. The law gives you no power or discretion about discharges or exemptions; but they may be enrolled, with permission to remain at home "waiting orders." If these cases have any merit they will at once occur to you, and I leave them for your consideration.

Yours, most respectfully,

HENRY T. CLARK.

[Indorsement.]

The Secretary of War has considered all these cases and many more.

TREASURY DEPARTMENT,
Richmond, July 26, 1862.

Hon. G. W. RANDOLPH,
Secretary of War:

SIR: I herewith inclose you a copy of a representation made to this Department, stating that General H. E. McCulloch, of Texas, seized the war tax collected in that State. This interference is likely to produce the greatest confusion, both in this Department and in the War Department. I had appointed a depositary in Texas, to whom I had directed the war tax to be paid, and have drawn Treasury warrants on him to pay requisitions made by the War Department. These warrants will now be dishonored. The Treasury Department will have no means of administering the war-tax arrangements, as it seems that the general will intercept the money before it reaches the chief collector or depositary. It appears to me that the transaction is so illegal and so irregular as to call for the immediate interference of the Government.

The evidence is not complete, but it seems sufficient to enable me to ask your interference. Mr. Sorley, who writes the inclosed letter, is the collector of customs at Galveston and the depositary for Texas.

Very respectfully, your obedient servant,

C. G. MEMMINGER,
Secretary of the Treasury.

[Inclosure.]

RICHMOND, *July 26, 1862.*

Hon. C. G. MEMMINGER,
Secretary of the Treasury, Richmond:

SIR: I learn from Capt. William M. Armstrong, of Colonel Debray's regiment mounted Texas troops, that on his way to this city he saw posted at the post-office in Nacogdoches, Tex., an order from Brig. Gen. H. E. McCulloch, addressed to the collectors of the Confederate war tax, instructing them not to pay over the funds in their hands to any person whatever, except to persons authorized by him to receive it, under penalty of being deemed enemies and traitors. Mr. Jack Davis, who is now in this city, as bearer of dispatches from General McCulloch to the War Department, confirms this statement, and adds that under the order General McCulloch has collected from $100,000 to $150,000. As you have given orders to the collectors of the war tax giving another direction to the disposition of the funds, I deem it my duty to communicate the above.

Very respectfully, your obedient servant,

JAMES SORLEY,
Depositary of Galveston, Tex.

NASSAU, NEW PROVIDENCE, *July 26, 1862.*

Hon. G. W. RANDOLPH,
Secretary of War, Richmond:

SIR: Inclosed you will find duplicate of my last communication of the 19th instant per Hero.* The steamer Herald arrived here yesterday and the steamer Kate to-day, but brought me no letters. The former was fired into by the Yankee gun-boat Adirondack in sight of Nassau; that is, only five miles from shore. It appears that the latter must have been close to the island during the night, and at daybreak steamed off, which deceived the Herald, then coming in, into the belief that she was a British man-of-war. Under this impression the Herald approached within a quarter of a mile of the Yankee, when the latter opened fire and threw a number of shot and shell at her. The Herald was struck three times, but sustained no injury. Captain Hickley, of Her Majesty's ship Greyhound, got up steam and sent off a boat bearing a written protest against this infringement of neutral and maritime rights. The captain of the Yankee responded by citing Vattel and other writers on international law, and maintained that he had committed no trespass, the firing having been done beyond the prescribed distance of one league. Here the matter rests, but reference will be had to the home authorities. Subsequently the Adirondack came into the outside anchorage and fired two salutes, one of which was responded to from shore and the other from the

*See p. 8.

Greyhound. This afternoon application was made to the Governor for permission on the part of the Yankee to coal to an extent sufficient to take her to Hampton Roads. I have not been able to learn the Governor's decision. In addition to the numerous outrages recently perpetrated by the enemy I will mention the capture of the British brig Lilla, from Liverpool for Nassau with an assorted cargo, including 200 tons of saltpeter. She was taken off the Hole-in-the-Wall and has been carried into Boston. England has shown a degree of patience under these repeated aggressions for which hitherto she has not received due credit.

In relation to the steamer Columbia, of which I wrote you on the 28th ultimo, Mr. T. F. Smith, another agent of S. Isaac, Campbell & Co., and of Mr. T. Stirling Begley, the owner of the vessel, has informed me that by the last mail he received intelligence that the entire cargo was the property of the Confederate States Government. He read to me an extract from a letter of Mr. Begley under date of July 1, to the following effect:

> You will at once deliver the cargo of the Columbia to any known representative of the Confederate Government, taking a receipt for the same, so that I shall obtain payment here, as there may be no funds in Nassau to pay for the same.

The Columbia has unloaded about one-half of her cargo, and the portion remaining on board consists of the following: One battery of eight guns, caissons, limbers, &c.; two mountain howitzers, with saddle and harness complete; one forge, complete; one reserve wagon and harness, complete; 2,500 shells and fuses. Mr. Smith stated that his object was to obtain my approval of the shipment of the above per Columbia to the Confederate States. I replied that the extract from the letter above cited was not conclusive evidence to my mind of ownership, though it would certainly bear that interpretation; but that if it was the property of the Government I had no hesitation in letting it go forward, the rate of freight to be fixed at home. He asked for a receipt for the remainder of the cargo, which I agreed to give, but in such a shape as not to commit the Government to the ownership of the same. I presume that ere the receipt of this you will have been apprised of the change, if it has really taken place. I have no other information on the subject.

By the Herald and Kate I shall send further supplies of arms and munitions, but will reserve the cannon until I hear from you. Messrs. John Fraser & Co. write that the supply of field artillery is fully adequate.

The testimony in the case of the Preto has been concluded, and I am unable to discover a particle of evidence that can condemn her. The argument of counsel will take place on the 30th, so that by the 1st proximo we will have the decision. It will be favorable.

We have all read with feelings of intense interest the details of the great battles before Richmond. It is needless to say that these signal successes have produced the most beneficial influence on the public mind here. They cannot fail also to create a powerful impression in Europe. With 18 pence for cotton in Liverpool and a stock adequate only to a few weeks' ordinary consumption, the screw will be tightened to a degree that must inevitably give rise to the very gravest apprehensions, and the British ministry will find it difficult to resist the clamor for immediate recognition and subsequent mediation, to use the new expression for intervention.

I must call your attention to what I conceive to be a most unpatriotic procedure and gross exaction on the part of our pilots. Four of

the Charleston branch pilots arrived on the Kate this morning. They have fixed their demands at $1,500 to be paid here and $3,500 at home. We have offered the exorbitant rate of $1,000 here and $3,000 on arrival, which they have thus far refused. This bears very onerously on the vessels and may prove a formidable hindrance to the trade. The steamer Scotia, a private venture, will leave in a day or two with a cargo of 1,600 Enfield rifles, 600 barrels of powder (of which about 600 cannon), 250,000 cartridges, and 250,000 percussion-caps [*sic*]. The rifles have been inspected by our viewers. The Leopard will sail early in the morning, and the Minho on the following day. The steamer Ladona, from England, via Bermuda, arrived this evening. I have not yet heard what cargo she has.

I am, very respectfully, your obedient servant,

L. HEYLIGER.

[JULY 28, 1862.—For orders assigning Brig. Gen. Richard Taylor to the duty of carrying out the enrolling act in Western Louisiana and hastening forward recruits, &c., see Series I, Vol. XV, p. 789.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Montgomery, Ala., July 29, 1862.

Brig. Gen. R. E. RODES,
Richmond, Va.:

GENERAL: The Governor is in receipt of yours of the 29th instant, and desires me to assure you that nothing would afford him more pleasure than to be more instrumental in filling the ranks of the Alabama regiments, which under your command have by their gallantry in the field so well sustained the honor of the State. You may not be aware, however, that the regulations from the War Department have prescribed the rules by which the apportionment of the conscripts to the regiments, battalions, &c., shall be governed, and have left but little, if anything, to the discretion of the officer charged with the superintendence of the enrollment and the disposition of the conscripts.

I herewith inclose you a copy of these regulations,* and, with the view of furthering your object, would direct your attention particularly to paragraphs 5, 6, and 7. You will see from these paragraphs—

First. That it is only to such regiments, battalions, squadrons, and unattached companies in service on the 16th of April last that conscripts can be allotted.

Second. That they are to be apportioned to these regiments, battalions, &c., according to the deficiencies in each, unless when otherwise directed by the War Department.

Third. That they are to be distributed by commanders of regiments, first, to fill up existing companies to the minimum standard, and second, where a regiment has not the requisite number of companies to organize new companies up to the number required.

The Department, as you will observe, has the power to discriminate, but the exercise of this power would probably result injuriously. If, however, it should be done, I know of but one principle that can be adopted. While there may be no difference in the bravery of our

*See General Orders, No. 30, Vol. I, this series, p. 1094.

troops, there is a wide difference in the merits of their officers, and if the discretion reserved to the Department to change the order of the distribution be exercised, the good of the service would seem to require that the best officered regiments should be preferred. Should this test be adopted you would have little to fear for your brigade.

The number of conscripts in this State will probably not exceed 10,000, unless we can expel the enemy from North Alabama. If we can do this and can enforce the law in that section of the State we may get 3,000 more. Counting the unattached companies and battalions in service on the 16th of April last and they would be equal to about thirty-two regiments. From the best information I have it will require an average of full 400 to a regiment to bring it up to the minimum standard.

You will observe also that the inclosed regulations require the colonels of regiments, &c., to send copies of their muster-rolls to the commandant of the proper camp of instruction in their respective States, with officers to take charge of such recruits as may be furnished to each regiment, &c.

Maj. W. G. Swanson has been detailed under paragraph 1, and has established one camp in Macon County and another at Talladega, and will, I suppose, hereafter designate the camp to which the conscripts from the different counties will be assigned. The commandant of camp No. 2 has not yet been appointed, but as Major Swanson is charged, under the paragraph last referred to, with the disposition of the recruits, I suppose his camp, which is No. 1, is the proper camp, within the meaning of the regulations. I inclose you a copy of General Orders, No. 1, from the headquarters of Major Swanson.*

In conclusion I have only to add that both the Governor and myself will take much pleasure in doing anything that can properly be done to advance the efficiency of your command.

Very respectfully, your obedient servant,

GEO. GOLDTHWAITE,
Adjutant and Inspector General.

[JULY 29, 1862.—For authority to D. H. Hill to raise partisan rangers in Gates County, N. C., and Nansemond County, Va., see Series I, Vol. LI, Part II, p. 601.]

[JULY 29, 1862.—For Davis to Harris, in regard to recruiting for the Tennessee regiments serving in Virginia, see Series I, Vol. LII, Part II, p. 333.]

EXECUTIVE DEPARTMENT,
Montgomery, Ala., July 30, 1862.

Hon. G. W. RANDOLPH,
Secretary of War:

SIR: I am credibly informed that a company of responsible men, citizens of the Confederate States, propose to ship cotton out of the port of Mobile in exchange for salt. The salt is to be first imported through the blockade by permission of the U. S. officers, and the cotton then carried out to pay for the salt. The arrangement is to be

*Not found.

made directly with General Butler and Commander Farragut, who will, it is said, permit the exchange to be made in the Gulf, and the salt to come into Mobile or Pensacola, and from the latter place to pass through the enemy's lines into the interior. These U. S. officers are reported to have agreed to the arrangement stated, and which is said to be unlimited in extent. What is now wanting, it seems, is the permission of the War Department for the company to take out the cotton and make the exchange proposed. They have frankly disclosed this plan to me, and requested me to submit it for your consideration, and advised me that from some intimation received it would be approved by you. I informed these gentlemen that as the proposed scheme was forbidden by the law and contrary to my own decided convictions as to the policy and interest of our Government, I could not indorse it or even refer it for your consideration except as a matter of information, to be looked at with a view of ascertaining whether the Government could, by tolerating it in any form, bring about any complication of the blockade question which might promise a public advantage; and that I was quite sure the Secretary of War could have given no intimation in favor of such a project unless he had the best reasons for believing that some important result could be attained beyond the mere introduction of salt, however great a necessity the article might be at this time; and it is upon this ground that I have submitted the statement herein made for your consideration.

Very respectfully, your obedient servant,

JNO. GILL SHORTER,
Governor of Alabama.

HEADQUARTERS,
Marietta, Ga., July 30, 1862.

Hon. G. W. RANDOLPH,
Secretary of War:

DEAR SIR: I have to acknowledge the receipt of your confidential circular, and must express my regret that the embarrassments exist to which you refer. While I have in a few instances had reason to believe that persons with furlough have overstaid their time at home without sufficient cause, I had not supposed that the regiments from this State had been reduced to any considerable extent either by desertions or absence of members without leave. If just cause of complaint in these particulars exist against the Georgia troops I am ready to do all in my power to assist you in correcting the evil. On account of the fact that you desire the existence of the evil kept as much as possible from the knowledge of the enemy, I am somewhat at a loss how I can best accomplish the object you have in view. After a little reflection I have concluded that I cannot better serve you than by issuing a proclamation, of which I inclose a copy herewith.* I have been the more guarded in the power given to the sheriffs and other State officers on account of the fact that your sub-enrolling officers in some parts of this State have, I think, taken pride in annoying the authorities of the State by evading your instructions (which are no doubt intended in good faith to exempt all State officers) upon a variety of technical pretexts, and in some instances without even a plausible pretext.

Permit me to cite an instance: A few days since the sub-enrolling officers for Baldwin County enrolled an important clerk in the adju-

*Not found.

tant-general's office without conference with the head of the department and ordered him to camp of instruction, with notice that he should publish his name as a deserter if he failed to go. In a case of this character, as the act of your officers was illegal, I could not of course permit any State officer to assist him in the execution of his threat, if he attempted to treat one of the State's officers not subject to conscription as a deserter. On the contrary, it would be my duty to employ the State officers for the protection of the officer unjustly attacked. Hence I have limited the proclamation to the case of deserters who have been in Confederate service beyond the limits of the State or members of a volunteer regiment within the State. If your enrolling officers, in cases of conflict of opinion between them and the State authorities, would stop the execution of their orders on notice from me to them to do so till the question could be referred to you for decision, I should be very careful to raise with them no false issue, and it would save many of our officers and good citizens who have sent substitutes, &c., great expense and trouble in having their rights recognized. I assure you that much dissatisfaction exists in the public mind on account of their course, amounting in some instances, it is thought, to petty tyranny. You may suppose from your knowledge of my views on the conscription act that it would be a gratification to me to see them act amiss. Not so. Did I desire to render the act unpopular in the State I could wish no change of policy on the part of your officers. I trust you will excuse this plain statement of truth, as we all are corresponding confidentially for the public good.

I have been much gratified at your energy and the administrative ability you have shown as the head of the War Department. Fortunately for the country the tide of success has turned in our favor since you have taken control of this most difficult and important Department. It is greatly to be hoped that you may have the means to carry our victorious arms into the enemy's country before the fall season has passed. Our people look with great anxiety to the deliverance of Tennessee and the transfer of the seat of war to Kentucky. It will at all times afford me pleasure to serve you or the cause in any way in my power.

I am, very truly, &c.,

JOSEPH E. BROWN.

[Indorsement.]

Inclose Governor Brown copies of printed instructions, Nos. 1, 2, 3, to officers commanding camps and enrolling officers, and call his attention to the order given to them [to] confine themselves to a remonstrance in case of difference with State authorities.

G. W. R.

VICHY, *July 30, 1862.*

Hon. J. P. BENJAMIN,

Department of State, Richmond, Confederate States of America:

SIR: I have just received notice from Mr. Fearn that he leaves London on the 2d of August for the Confederate States, and have only time to write a few hasty lines in consequence of the lateness of the advice given.

In consequence of the want of communication between Nassau and the rest of the world I was detained there three weeks, and only

reached London by the West India mail steamer on the 29th of June. I found public opinion there very much in the same condition as when I left that place in January, with a tendency to depreciation in consequence of the series of reverses our Army had experienced. I sought and obtained an interview with Lord Palmerston, as a private individual, in which I exposed to him fully the real position of affairs and the certainty of our approaching successes. He was politely incredulous as to the latter, but listened very seriously to my statements and explanations, and asked a great many questions as to what he considered our weak points. On these I think I gave him new lights. He spoke very candidly on the subject of recognition, and said he thought we must do much more before we were entitled to it, referring more particularly to the occupation of New Orleans and to the blockade of our Southern ports. When asked the question "whether the repulse of the army before Richmond and a transfer of the siege to Washington would be regarded as sufficient?" he still replied in the negative. These views he clearly expressed three weeks later in the debate on Mr. Lindsay's motion. I saw Mr. Mason immediately after the interview, and gave him the details of our conversation. I was careful, of course, to say nothing to Lord Palmerston relative to any separate action of France, confining myself to the English view of the question. The fixed conviction of my mind was and is that England will insist on a "masterly inactivity," as she regards it, and will restrain France from acting also as long as possible. The reasons for so doing you can comprehend as well as I could explain them to you. The pretext is "fair play." It is but just to add that the popular sentiment in England before and especially since the tidings of our late glorious victories, as far as I can judge, is decidedly in our favor; but they are not willing to pay the price of a war to indulge the sentiment, and the course taken by the Tory party (in opposition) proves this.

Immediately after my interview with Lord Palmerston I left London for Paris, first writing a letter to The Times, describing the actual condition and prospects of the Southern States, purporting to be written by a traveler. I sent this with my card and a private note to the editor, who is known to me, and was served as The Times frequently serves contributors—the substance of my letter was hashed up in editorials; the letter itself suppressed. After waiting a week I wrote another version of the same letter to The Telegraph, which published it, omitting all remarks about the conduct of Southern negroes, whose loyalty to their masters I had dilated upon, and some remarks relating to our President. Inclosed you will find a copy of that letter.* The Telegraph is the most widely circulated paper in London. At Paris I immediately put myself in communication with the press and with gentlemen of influence and position who are friendly to us. Chief of these is M. Ferdinand de Lesseps, cousin to the Empress, who wields a great influence at court and elsewhere. I have been guided greatly by his advice as to the proper mode of proceeding here. The journals I have found very accessible and amenable to reason. We have The Patrie, The Constitutionnel, and The Pays, all three semi-official papers; against us are the radical journals and The Orleans, but since the return of the young princes I think we can secure the latter. The effort is now being made.

Although the Emperor is absolute master of the situation, he yet desires that public opinion should march with him, and the only diffi-

* Not found.

culty we have to contend with is the slave question. We are trying to change this issue by proving that not to be the matter in dispute. The Emperor is here, in the house next to my hotel. I have made the acquaintance of some, and the intimacy of one of his personal suite, and have been enabled indirectly to throw much light on the question. I have my wife with me and came as a private individual. By advice of my French friends I have just written and sent to his private secretary an intimation of my desire as a South Carolinian, just from the Confederacy, to pay my respects to the Emperor, and I shall probably receive his reply to-day or to-morrow, but too late to give you results. Should anything of importance transpire soon, I shall find, or rather make, a way to give you sure information. I am busily organizing this now and will arrange it if necessary. I find the only means of communication now is the very uncertain one via Nassau, which works badly.

Mr. Slidell will doubtless give full details of his interview with the Emperor. I therefore refrain from touching upon that subject. It was the premier pas to which I am desirous of adding another. That the Emperor is most anxious to intervene, all his people here tell me. He has now with him Mr. Fould and Mr. Baroche, chief of the council of state, and Mr. Thouvenel has just left. The immense moral gain to us from our late victories and present attitude of the two sections you cannot overrate. Whether it is sufficient to enforce recognition, the utterances of the Sphinx who rules Europe will not permit us to judge. As to the fate of the proposition brought over by me, I am as yet in ignorance. Upon the whole, I think the prospects of an early recognition (which will involve intervention) to be most probable and in fact imminent. A week hence I hope to be able to give you exact information on this subject, and will certainly do so if I get it. Impossible should not be a word in our vocabulary, and as regards communication, is simply absurd. I have been received with great courtesy by Messrs. Mason and Slidell, and have to acknowledge many acts of civility from both. It is but just to Mr. Hotze to say that his labors are most zealous and unremitting, and the paper he has established, the Index, is a proof of both. I complied with your instructions with regard to him. With reference to the purchase of arms, &c., I feel it my duty to inform the Administration that the chances of obtaining more depend upon further supplies of funds. Captain H. informs me that he has no funds nor credits of any kind, and is deeply indebted for the Government. The establishment of credit abroad is essential. This can be done in Paris with ease by the Government sending cotton to parties here, who will immediately advance several millions upon it. If the Government will authorize me to make such an arrangement, one of the great capitalists here will do it forthwith, the Government delivering the cotton in the Confederate States to agents named or sent by the capitalists here. Should the continuance of the war demand new and large supplies of arms, I would further suggest the expediency of sending out more agents for their purchase, since no one or two men, however energetic or intelligent, can properly and efficiently attend to this work. To this point I most earnestly invite the attention of the Government, as illness or any other cause might now leave us without help in this vital matter. The other matter of providing funds is also equally pressing, since Confederate credit has not yet risen upon the ruins of the Federal, now far below par. Our friends abroad are now as unreasonably sanguine as they were unduly depressed on my first arrival, before our victories had brightened the

Southern sky. I do not share in these illusions, and see the long road we still have to travel through the chaos that Northern madness and folly has occasioned. I do not send you the journals I have filed, nor other things collected, because time and opportunity have not [been] given me.

Trusting that this may also plead the apology for this hurried and informal communication, which I have barely had time to write in haste,

Very respectfully,

EDWIN DE LEON.

P. S.—I have discovered that Bishop Hughes is busily beating up recruits in Ireland and haranguing for the North. I have taken active, and I believe efficient, measures to counteract his labors, and have myself many Catholic friends in Ireland in the priesthood and elsewhere. He boasts he can bring 20,000 men to the rescue of the North. We shall see.

E. D.

GENERAL ORDERS, No. 53.

WAR DEPARTMENT, ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, July 31, 1862.*

I. Persons who are liable to conscription under the act of April 16, 1862, will not be taken to serve as partisan rangers. Such as may be engaged for that branch of service must be over thirty-five years of age.

II. Only aides-de-camp are to be considered as the personal staff of general officers; all other general staff officers assigned to the commands of general officers, or who may be attached by assignment to their respective headquarters, will be regarded as forming a part of their entire commands; and any change of commanding officers in such commands will not imply a change in the assignment of the general staff officers.

* * * * * * *

IV. All seizures and impressments of any description of property whatever, and especially of arms and ordnance stores belonging to the States of the Confederacy, are hereby prohibited, and officers of the C. S. Army are enjoined to abstain carefully from such seizures and impressments; and in case they are made by mistake, such officers are ordered to make prompt restitution.

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT, NITER AND MINING BUREAU, *Richmond, July 31, 1862.*

Hon. G. W. RANDOLPH,
Secretary of War:

SIR: I have the honor to present a report of the operations of this Bureau from its organization, in April last, to July, 1862. Under instructions from the Chief of Ordnance especial attention was first given to the home production of niter, after that to lead, next to

sulphur, and incidentally to all mineral information useful to the Department. Previous to this organization public attention had been extensively directed by the Ordnance Department to the manufacture of niter. Works had been commenced and a considerable amount of private capital invested in Arkansas, Alabama, Georgia, Eastern Tennessee, and Western Virginia, but unfortunately in exposed localities. Under the military reverses of last spring all but one of the important caves in operation passed into the hands of the enemy, and that cave (in Bartow County, Ga.), under faulty management, produced not one-third its capacity. Of the smaller caves, the owners had generally become discouraged or indifferent. On the 1st of May last the entire home production of niter from all sources within the Confederate States, as ascertained from the powder-mill books, did not reach an average per diem of 500 pounds. Under these adverse circumstances the following plan of operations was submitted to the Department and approved:

First. To explore rapidly, but with system, for niter caves and deposits.

Second. To stimulate private enterprise by circular and newspaper publications, personal appeal, and instruction, and by affording facilities for work in prompt payment and a liberal supply of tools and utensils.

Third. When advisable, to start work on Government account.

This plan of exploration embraced all the Confederate States subdivided into districts, and with the offices named in No. 1 of the accompanying papers.* As rapidly as competent agents could be found a commencement was made in each district, and during May the survey was in full progress. Known localities were first examined and afterward new ground; the caves were explored, earth tested, and when practicable measured, and the results communicated to the Richmond office to be mapped and registered. The survey is still incomplete, but enough has been developed to determine the question of our interior resources. Exhibit sheets on file in the Bureau office already contain entries of caves and nitrous deposits sufficient in quantity and quality to meet the ordinary demands of the Confederate Army until niter beds can be made to yield. But our power to work these natural deposits is controlled by three conditions—labor, hostile interruption, and transportation. As this exploration went on the Bureau agents spared no effort to induce private parties to work every available source of niter supply—caves, plantation deposits, tobacco barns, old cellars, and artificial niter beds—and these efforts are continued. In particular districts much has thus been accomplished; but the general result has made clear the fact that a large and regular supply from private sources cannot enter into the estimates of the Department. Work has accordingly been commenced on Government account, and to the full extent that time and means at command permitted.

On August 1 the furnaces were up and work under way at sixteen Government caves, with an average force of 272 white hands and 115 negroes. This does not include labor on private works. The locality for niter-producing caves in the Confederate States can be approximately referred to the lines of secondary limestone, which are shown in brown tint on the accompanying map No. 2.* Two important belts of primary limestone are indicated by the green tint. Available caves

*Not found.

have not been found in the primary limestone, but its presence in the soil frequently affords a necessary mineral base for the accumulation of nitrous earth under plantation buildings, which in the absence of caves is found to be a valuable source of the niter supply. Good working caves should contain at least 5,000 cubic feet of earth. The nitrous earth, which usually covers the cave floor or fills up its side chambers in crevices, must be dry, and should yield 1 per cent. and upward of nitrates. Potash, wood, water within easy access outside are essential to the manufacture of niter from the natural deposits. These conditions are mentioned to explain the fact why out of so many known and explored caves so few can be advantageously worked.

Referring to the niter districts in detail—in Virginia fifty contracts have been closed with private parties, some of whom have worked well, but from their slow progress and the frequent loss of caves by the enemy in Greenbrier and Monroe Counties, work has been undertaken on Government account as follows: One large cave in Tazewell, one in Giles, and six small caves in Wythe, Smyth, Pulaski, and Montgomery. These caves are in good working order and beginning to yield. The interruption from recruiting officers having generally ceased upon publication of General Orders, No. 41, the only drawback upon a large future yield is the scarcity of labor. The artificial production of niter has been commenced in Virginia near Richmond, the city affording material for 30,000 pounds at least per annum, which will be made use of if labor can be retained, which is almost impossible, for such work, so near the army. Beds have also been commenced at Petersburg.

In North Carolina the secondary limestone belt borders on the extreme western counties, where niter caves are few, small, and inaccessible. Our effective labors must be confined to the plantation earth in the tobacco and primary limestone counties. Several localities have been examined for niter beds on a large scale, but they do not present the facilities for work obtained elsewhere.

In South Carolina there is no known niter cave. The rich marls in the lower districts promise favorably for niter beds. One nitriary has been commenced by State authority at Columbia, one by Government agents near Orangeburg, and one on the Georgia side of the Savannah River near Augusta. At the last there are unusual facilities in climate, water carriage, and the supply of materials, organic and inorganic, for niter works of a permanent character upon the most improved European system.

In Georgia there are several niter caves in the northwestern counties—one in Bartow County, very valuable. This last, under imperative necessity and upon consultation with the adjutant-general of the State of Georgia—the State authorities having taken preliminary steps to seize the cave—was taken possession of by order of the Department on the 15th June, and has since been put in order and worked on Government account. During the last two weeks of private management the yield of the cave did not reach eighty pounds per day; under Government management it was raised to 400 per working day, and would have been much higher but for the interruption of potash transportation on the Georgia railroads owing to the movement of General Bragg's army.

In Tennessee are several very large and rich caves. The most valuable are under hostile control. From Jonesborough down to Chattanooga fifteen more caves have been commenced on Govern-

ment and private account, but work has been seriously interrupted by the advance of the enemy. Two fine caves (private) were taken and the works destroyed. Two Government caves, together with the potash works near Chattanooga, have been temporarily stopped from the same cause. The Nickajack and Lookout Caves were shelled during the attack of June 5, but it has been deemed advisable to continue operations, though at a loss, at the Lookout and partially at the Nickajack, to reassure private parties. The yield from Tennessee must continue uncertain until the country becomes more settled.

In Northern Alabama the presence of the enemy has occasioned a general suspension of work, including the valuable Santa Cave. But two or three caves are now worked. More will soon be started by Bureau agents and under a contract made with the owner of the Cahaba Powder Mill.

In lower Alabama a vigorous effort is being made to induce planters in the limestone and marl counties to work plantation earth, but the results have not yet been reported.

In Mississippi the Bureau has an agent for similar objects, to attend also to receipts from Tennessee and the west, and to explore the northeastern counties.

In Florida the most promising cave localities have been examined, but thus far with unpromising results, the caves being small and generally wet. Attention has therefore been given to plantation earth. The superintendent has commenced work on Government account and already reports a small return.

The trans-Mississippi.—The recent transfer of the Texan contracts to this office have rendered an organization necessary west of the Mississippi. A party of three, selected for this service and under charge of Captain Read, start this week under the following instructions: To arrange in Texas, if practicable, a regular transportation of receipts from Mexico; to examine and, if miners can be procured, to start lead mines in Arkansas; to examine a reported saline deposit of value near New Iberia, La., and to have work resumed in the very valuable caves of upper Arkansas as soon as accessible.

Results: From April 15 to June 1 about 25,000 pounds of niter were collected and forwarded; from June 1 to July 1, 24,393 pounds, with 10,945 pounds on hand subject to order. From obvious causes, the collection of tools and materials, construction of furnaces, and the instruction of agents and foremen, work was not fairly commenced on Government caves until late in June. On the other hand the large Arkansas percentage made previous to May 1, 17,000 pounds, cannot again appear on our returns until the events of the war permit. The yield during August will probably be from 1,600 to 2,000 pounds per working day. It should have been over 2,500 pounds per day, but the prevailing anxiety to save the crops, the unwillingness to send negroes far from home and the consequent scarcity of labor, and the lamentable condition of public transportation have prevented. The last two drawbacks are receiving the earnest and anxious attention of the Bureau, and when met should raise the home niter production to 3,000 pounds per diem.

Mining service.—The most available lead veins of the Confederacy are being surveyed and registered. Under the great scarcity of mining labor it has been thought advisable to concentrate our small force upon leading mines that promise the quickest results. By a change of contract the yield of the Wythe lead mines, Virginia, has been doubled within the past month and will soon be raised to three and one-half

tons per working day.*a* The Silver Hill Mine, North Carolina, can be improved, and in case of urgency the yield quickened by neglecting for a time the silver percentage.*b* The Petersburg Smelting Works are in fine order to desilverize this ore. The opening Jackson mine near Jonesborough, Tenn., is being pressed and stocked with labor drawn off from experimental work in Albemarle and other localities in Virginia that were not yielding well. The necessary machinery will be sent out and put up at an early day.

In Arkansas, if labor and machinery can be procured in time for results, lead mining will be started under instructions on Government account.

The present yield from our mines averages between three and four tons per working day. This is not equal to the Army demand. The residue has thus far been more than met by importation and the collection of scrap lead, in which the Bureau agents have been quite active.

Copper.—The Bureau has been instructed not to press the subject, the Ducktown, Tenn., mines yielding sufficient for the present demand. The Virginia mines, Carroll and Grayson Counties, can be worked.

In sulphur the same instructions have been received. Good localities have been selected for sulphur works when necessary; contracts have been signed with private parties, but no returns have yet been made.

To systemize the supervision of mining interests, a mining desk is about being arranged in the Bureau under charge of a competent officer. In acknowledging the valuable aid of the gentlemen in our corps, I beg to refer to the accompanying list of their names.*

Very respectfully, your obedient servant,

I. M. ST. JOHN,
Major and Superintendent.

RICHMOND, *July 31, 1862.*

Hon. G. W. RANDOLPH,
Secretary of War:

SIR: To obtain a full supply of clothing for the Army is becoming more embarrassing and difficult as the raw material is diminishing and the machinery employed in its manufacture becomes worn out. Every exertion has been made to render all the resources of the country available; but if, in the matter of clothing and shoes, there were ample supplies of the raw material the capacity to manufacture them is wanting, thereby rendering it certain that a reliance upon our own sources of supply will be in vain. The prices of all goods are enormous, those from abroad bringing readily in open market 300 or 400 per cent. on their cost in Europe. In view of these facts, I respectfully recommend as the only effective mode of relief from these difficulties and embarrassments that an officer be dispatched to Europe to purchase cloth, shoes, blankets, and other indispensable articles of issue to the troops. The Government would save largely by purchasing abroad, even if one of every three cargoes were lost. To depend upon private enterprise to import these goods is to trust a

a This remains to be seen when the cold weather comes on.—[J. G.]
b Which has been ordered.—[J. G.]

* Not found.

very unreliable source of supply and to pay enormous profits to the importers. Major Ferguson, of this department, who has been employed in providing materials for the clothing department at Richmond, is fully competent to purchase goods abroad, as in addition to his knowledge of quality and prices he has the mercantile ability and integrity to disburse advantageously the large sums which would be intrusted to such agent as may be sent to Europe. The necessity of almost immediate arrangements for these supplies leads me to ask your early consideration on this subject.

LARKIN SMITH,
Assistant Quartermaster-General.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, [*July 31*,] *1862*. (Received August 2.)

Hon. G. W. RANDOLPH,
Secretary of War, Richmond, Va.:

SIR: I am under the necessity of asking your attention again to the subject of partisan rangers. The means of avoiding the conscript law and the idea of being in a mounted company, independent and on detached service, render that service popular and desirable, while there is but little prospect of their being of much service, unless a few with well-chosen officers and in peculiar localities. They being mostly mounted, an almost exhausted country will be drained of its subsistence for their support, and every company will have a separate and independent quartermaster's and commissary department. But difficulties occur to me in administering our State laws to clothe and equip North Carolina troops. I fear if they are entitled to the same clothing and equipments with our other State troops already in service that it will absorb the provisions made for our regular troops. Inform me, if you can, what companies have been reported to you as accepted, or who have come within your regulations, and what regulations you have adopted, which may serve as a guide to me in recognizing a lawfully raised and accepted company. The second section of the partisan-ranger act stipulates that they shall receive the same "pay, rations, and quarters as other soldiers." Do "rations" refer to anything but subsistence, and do "quarters" mean anything more than tents? Or, in other words, is clothing or equipments included under any words of that section? These inquiries are necessary to guide my course, and I hope you will excuse this intrusion on your valuable time. There are so many companies forming claiming to be partisan rangers, and the authority to raise and accept them is so broad that I cannot recognize them for the payment of State bounty till I know they are properly organized and accepted by the Confederate Government. If such regulations have not been made the number now offering would suggest the propriety of establishing regulations for their organization and government. But I still further suggest the propriety of converting them into infantry, for in our country cavalry have only proved available as couriers or pickets.

Some of these views have been presented to you in a former letter, and the principal object of this communication is to know what companies I am to provide for in bounty, clothing, and equipments.

Very respectfully,

HENRY T. CLARK.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., August 1, 1862.

Hon. G. W. RANDOLPH,
Secretary of War, Richmond:

SIR: Will you please advise me at as early a day as possible if the provision made by the Confederate Government of blankets and clothing for our Army is of a character which can be relied on to carry it through the coming fall and winter. My object in ascertaining this information is to insure a sufficient supply of clothing to the troops from this State if the State resources will enable me to do so. As to cotton goods, I do not anticipate any great difficulty, but have great fears as to blankets and woolen goods generally, as well as shoes and socks. The little wool we have in the State is bearing an enormous price, and the condition of the Mississippi presents serious obstacles to obtaining supplies from Texas. Shoes also are difficult to contract for in large quantities at any price. I will thank you to be as definite as possible as to each of the articles referred to so that I may understand clearly in what direction and to what extent the capacities of the State should be exerted.

Very respectfully, your obedient servant,

JNO. GILL SHORTER,
Governor of Alabama.

GENERAL ORDERS, No. 55. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, Va., August 2, 1862.

Paragraph II, General Orders, No. 42, current series, is hereby revoked, and the following is substituted in lieu thereof:

Where martial law has been proclaimed the civil tribunals are authorized to grant injunctions, to make orders, and to take such steps as may be necessary to prevent irreparable mischief; to secure the possession of infants in the persons entitled thereto; to decide suits for divorce; to make orders for alimony, and to secure the personal safety of the parties to such suits; to recover rents and the possession of real estate and slaves, and to restore the possession of property tortiously changed.

By command:

S. COOPER,
Adjutant and Inspector General.

RICHMOND, VA., *August 2, 1862.*

His Excellency Governor CLARK,
Raleigh, N. C.:

MY DEAR SIR: I have the honor to acknowledge yours of the 31st ultimo, and to thank you for your good offices in the matter of enrolling men to fill up the regiments of North Carolina now in the field. The irregularities and negligence noted in the camp near to you exceed even the allowance I have been accustomed to make for inexperience. In appointing an officer to take charge of a camp of instruction it was not my purpose to interfere through his agency or otherwise with the enrollment by the State officers of those subject to military service in the armies of the Confederate States. For every consideration it was desirable to avail of the aid of the Executives of the States, and where,

in your case, it was freely given, I wish it to be received with every mark of consideration and courtesy. The matter will receive prompt attention, and a further reply will be made to you when I am better informed of the action of the War Department. In the meantime I have wished to assure you of my regret that anything should have happened which evinced the least neglect of that which I recognize as due to you, not only in virtue of your office, but also because of your cordial and efficient aid to our efforts to provide for the common defense.

Very respectfully, your fellow-citizen,

JEFFERSON DAVIS.

[AUGUST 4, 1862.—For Price to Pettus, invoking his assistance by calling out militia in Mississippi, &c., see Series I, Vol. XVII, Part II, p. 664.]

[AUGUST 4, 1862.—For proclamation by Governor of Virginia calling on "militia not now in service to unite with him in a prompt and vigorous effort to repel the enemy," &c., see Series I, Vol. XII, Part III, p. 923.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, August 5, 1862.

His Excellency JEFFERSON DAVIS,
President, &c.:

SIR: I have the honor to inclose an opinion* of the Attorney-General upon the question whether persons under eighteen and over thirty-five years of age in service at the time of the passage of the conscript act are required to remain ninety days from the passage of the act or ninety days from the expiration of their respective terms of service.

He decides that those whose terms expired within ninety days from the passage of the act were required to serve during the ninety days, but that all others of the class must be discharged at the expiration of their terms of service.

I submit with all due deference to the learned Attorney-General that his distinction between those whose terms expire within ninety days from the passage of the act and the remainder of the class is unsupported by the language or the policy of the act, and is productive of inequality and injustice.

The language of the act is that all persons under eighteen and over thirty-five years of age shall be required to remain "for ninety days." (Section 1.) The Attorney-General says that some shall remain ninety days from the passage of the act, and others much more.

He equally violates the policy of the act as declared in its preamble. It was passed to "keep in service our gallant Army," and yet he discharges a considerable portion of it at the end of their term of enlistment. They are not kept a single day, although they constitute a part of the Army required to be kept in the service. His construction produces inequality and injustice, for it is neither equal nor just

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*See Watts to Randolph, July 24, p. 15.

to keep men whose terms expire within the ninety days and not to keep others of the same class, who only differ from the former in the date of enlistment.

In my opinion, the language and policy of the act are better observed and equality and justice better attained by requiring all under eighteen and over thirty-five years of age to serve three months beyond their term, and all between those ages to serve two years beyond their terms of enlistment. This construction keeps all for a period longer or shorter, according to age, and thus conforms to the letter and the policy of the act. It works no injustice, because the difference made between one class and another rests upon a difference of age or fitness for military service and of usefulness in civil pursuits.

The objections to the construction adopted by the Attorney-General apply equally to that which proposes to discharge all under eighteen and over thirty-five years of age within ninety days of the passage of the act. The language of the act requires all to be kept in service; in other words, to be retained longer than they contracted to stay, but this construction actually shortens the term of many. The policy was to get rid of the evil of short terms, but this construction shortens them yet more. And it does this arbitrarily, releasing some who have just enlisted, and retaining others whose terms have nearly expired. This distinction is made without the slightest reason for it, and is therefore unjust.

Unless otherwise directed by yourself, I shall, in view of these considerations, retain the construction of the act adopted by the Department and promulgated in General Orders, No. 46, paragraph II, a copy of which is herewith inclosed.*

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

ATHENS, GA., *August 5, 1862.*

DEAR GENERAL:† I venture to intrude some suggestions which my observations in Georgia have brought to my mind. They can do no harm, if they do no good, and will not consume much of your time. This war must close in a few months, perhaps weeks, or else will be fought with an increased energy and malignity on the part of our enemies. I look for the latter result, and at all events think it is the contingency for which we should prepare. That preparation requires a large increase of our Army. How is it to be effected? The conscript law has performed its work. It retained the twelve-months' men in the service. Besides that, it compelled large numbers to volunteer and thus fill up the ranks of the regiments already in the field. These two results have been accomplished, and beyond that it will be unwise to calculate upon the conscript law as the means of furnishing troops for the Army. The number of conscripts will be very small—not worth considering in calculating the strength of our Army. Such, I am sure, is the case in Georgia. It is true I have been confined to my own house since I have been here, but I have seen and talked with a great many people, whose opinions I respect, and I give you the concurrent opinion of all with whom I have conversed. Why it is so it is useless to inquire, though I may say in passing that the law is unpopular—almost odious—and the officers charged with its execution young and inefficient.

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*See July 1, p. 1. † Randolph, Secretary of War.

The fact exists, however, and with that fact we have to deal. I venture now to suggest the remedy, based upon the idea that the conscript law has done all that it will do in the way of filling up the Army. I would say, then, repeal the conscript law so far as the future is concerned, retaining all that you have made by it, and then either call upon the Governors of the different States to furnish their quotas or authorize the formation of companies, regiments, and even brigades and divisions, to be accepted by the President and officered by him. In this work he might profitably employ many officers now in commission. Both these plans will at once add to the number from which recruits are to be got—all the men under eighteen and over thirty-five in the different States, and the latter constitute a very large element. It besides relieves the new recruits from the odium of being conscripts, and will give a new impulse to the work of volunteering. Of the two plans, the first is the best, as in the event of a failure to get as many as you want, the machinery of the State governments for drafting can at once be resorted to, and is far less offensive to the pride of our people than the conscript law. Such is the result of my observations and reflections in my quiet home. I give them to you for what they are worth.

While writing I will refer to another matter that is creating some unpleasant feeling in our State. General Mercer is impressing negroes to complete the fortifications at Savannah, and is going to the plantations, where our planters give up their cotton crops to raise corn and provisions for the Army and country, and he goes just at the time when they are saving their fodder and when all their hands are required. Our planters very naturally say that we ought to take the negroes working upon railroads, accustomed therefore to such work, and besides the railroads can wait. Corn and fodder cannot wait. In addition to this, the offer has been made to General Mercer to do the whole work by contract at less expense to the Government. I mention this matter because it is creating much bad feeling. Our people are willing to make any and all sacrifices, but they like to see reason and common sense in the officials of Government. My health has improved much slower than I had hoped, but I shall still return to camp next week and try it, anyhow.

Your friend,

HOWELL COBB.

The order of General Cooper and the letter of President Davis about General Pope and his officers meet universal and enthusiastic approval.*

HEADQUARTERS THIRD DIVISION, DISTRICT OF GEORGIA,
Savannah, August 5, 1862.

Hon. GEORGE W. RANDOLPH,
Secretary of War:

SIR: I have the honor to inclose a memorial presented by a committee of the citizens of Liberty County, in this State, a community noted for their respectability and worth. The subject presented, I would respectfully submit, is one that demands the early notice of the Congress when it shall reassemble, and the instructions of the War Department (in accordance with such legislation as may be adopted) for the government of military commanders. The evil and danger

*For these documents see Series II, Vol. IV, pp. 830, 836.

alluded to may grow into frightful proportions unless checked, but the responsibility of life and death, so liable to be abused, is obviously too great to be intrusted to the hand of every officer whose duties may bring him face to face with this question. It is likely to become one of portentous magnitude if the war continues, and I do not see how it can be properly dealt with except by the supreme legislature of the country. I deem the action of Congress in this regard as needful for the protection of military commanders as for their guidance.

I have the honor to be, sir, very respectfully, your obedient servant,

H. W. MERCER,
Brigadier-General, Commanding.

[Inclosure.]

Brigadier-General MERCER,
Commanding Military District of Georgia, Savannah:

GENERAL: The undersigned, citizens of Liberty County, of the Fifteenth District, would respectfully present for your consideration a subject of grave moment, not to themselves only, but to their fellow-citizens of the Confederate States who occupy not only our territory immediately bordering on that of the old United States, but the whole line of our sea-coast from Virginia to Texas. We allude to the escape of our slaves across the border lines landward, and out to the vessels of the enemy seaward, and to their being also enticed off by those who, having made their escape, return for that purpose, and not infrequently attended by the enemy. The injury inflicted upon the interests of the citizens of the Confederate States by this now constant drain is immense. Independent of the forcible seizure of slaves by the enemy whenever it lies in his power, and to which we now make no allusion, as the indemnity for this loss will in due time occupy the attention of our Government from ascertained losses on certain parts of our coast, we may set down as a low estimate the number of slaves absconded and enticed off from our sea-board at 20,000, and their value at from $12,000,000 to $15,000,000, to which loss may be added the insecurity of the property along our borders and the demoralization of the negroes that remain, which increases with the continuance of the evil, and may finally result in perfect disorganization and rebellion. The absconding negroes hold the position of traitors, since they go over to the enemy and afford him aid and comfort by revealing the condition of the districts and cities from which they come, and aiding him in erecting fortifications and raising provisions for his support, and now that the United States have allowed their introduction into their Army and Navy, aiding the enemy by enlisting under his banners, and increasing his resources in men for our annoyance and destruction. Negroes occupy the position of spies also, since they are employed in secret expeditions for obtaining information by transmission of newspapers and by other modes, and act as guides to expeditions on the land and as pilots to their vessels on the waters of our inlets and rivers. They have proved of great value thus far to the coast operations of the enemy, and without their assistance he could not have accomplished as much for our injury and annoyance as he has done; and unless some measures shall be adopted to prevent the escape of the negroes to the enemy, the threat of an army of trained Africans for the coming fall and winter campaigns may become a reality.

Meanwhile the counties along the seaboard will become exhausted of the slave population, which should be retained as far as possible

for the raising of provisions and supplies for our forces on the coast. In the absence of penalties of such a nature as to insure respect and dread, the temptations which are spread before the negroes are very strong, and when we consider their condition, their ignorance and credulity, and love of change, must prove in too many cases decidedly successful. No effectual check being interposed to their escape, the desire increases among them in proportion to the extent of its successful gratification, and will spread inland until it will draw negroes from counties far in the interior of the State, and negroes will congregate from every quarter in the counties immediately bordering on the sea and become a lawless set of runaways, corrupting the negroes that remain faithful, depredating on property of all kinds, and resorting, it may be, to deeds of violence, which demonstrates that the whole State is interested in the effort to stop this evil; and already have negroes from Middle Georgia made their escape to the sea-board counties, and through Savannah itself to the enemy.

After consulting the laws of the State we can discover none that meet the case and allow of that prompt execution of a befitting penalty which its urgency demands. The infliction of capital punishment is now confined to the superior court, and any indictment before that court would involve incarceration of the negroes for months, with the prospect of postponement of trial, long litigation, large expense, and doubtful conviction; and, moreover, should the negroes be caught escaping in any numbers, there would not be room in all our jails to receive them. The civil law, therefore, as it now stands cannot come to our protection.

Can we find protection under military law? This is the question we submit to the general in command. Under military law the severest penalties are prescribed for furnishing the enemy with aid and comfort and for acting as spies and traitors, all which the negroes can do as effectually as white men, as facts prove, and as we have already suggested. There can be but little doubt that if negroes are detected in the act of exciting their fellow-slaves to escape or of taking them off, or of returning after having gone to the enemy to induce and aid others to escape, they may in each of these cases be summarily punished under military authority. But may not the case of negroes taken in the act of absconding singly or in parties, without being directly incited so to do by one or more others, be also summarily dealt with by military authority? Were our white population to act in the same way, would it not be necessary to make a summary example of them, in order to cure the evil or put it under some salutary control? If it be argued that in case of the negroes it would be hard to mete out a similar punishment under similar circumstances, because of their ignorance, pliability, credulity, desire of change, the absence of the political ties of allegiance, and the peculiar status of the race, it may be replied that the negroes constitute a part of the body politic in fact, and should be made to know their duty; that they are perfectly aware that the act which they commit is one of rebellion against the power and authority of their owners and the Government under which they live. They are perfectly aware that they go over to the protection and aid of the enemy who are on the coast for the purpose of killing their owners and of destroying their property; and they know, further, that if they themselves are found with the enemy that they will be treated as the enemy, namely, shot and destroyed.

To apprehend such transgressors, to confine and punish them privately by owners, or publicly by the citizens of the county by

confinement and whipping, and then return them to the plantations, will not abate the evil, for the disaffected will not thereby be reformed, but will remain a leaven of corruption in the mass and stand ready to make any other attempts that may promise success. It is, indeed, a monstrous evil that we suffer. Our negroes are property, the agricultural class of the Confederacy, upon whose order and continuance so much depends—may go off (inflicting a great pecuniary loss, both private and public) to the enemy, convey any amount of valuable information, and aid him by building his fortifications, by raising supplies for his armies, by enlisting as soldiers, by acting as spies and as guides and pilots to his expeditions on land and water, and bringing in the foe upon us to kill and devastate; and yet, if we catch them in the act of going to the enemy we are powerless for the infliction of any punishment adequate to their crime and adequate to fill them with salutary fear of its commission. Surely some remedy should be applied, and that speedily, for the protection of the country aside from all other considerations. A few executions of leading transgressors among them by hanging or shooting would dissipate the ignorance which may be supposed to possess their minds, and which may be pleaded in arrest of judgment.

We do not pray the general in command to issue any order for the government of the citizens in the matter, which, of course, is no part of his duty, but the promulgation of an order to the military for the execution of ringleaders who are detected in stirring up the people to escape, for the execution of all who return, having once escaped, and for the execution of all who are caught in the act of escaping, will speedily be known and understood by the entire slave population, and will do away with all excuses of ignorance, and go very far toward an entire arrest of the evil, while it will enable the citizens to act efficiently in their own sphere whenever circumstances require them to act at all. In an adjoining county, which has lost some 200, since the shooting of two detected in the act of escaping not another attempt has been made, and it has been several weeks since the two were shot.

As law-abiding men we do not desire committees of vigilance clothed with plenary powers, nor meetings of the body of our citizens to take the law into their own hands, however justifiable it may be under the peculiar circumstances, and therefore, in the failure of the civil courts to meet the emergency, we refer the subject to the general in command, believing that he has the power to issue the necessary order to the forces under him covering the whole ground, and knowing that by so doing he will receive the commendation and cordial support of the intelligent and law-abiding citizens inhabiting the military department over which he presides.

All which is respectfully submitted by your friends and fellow-citizens.

R. Q. MALLARD,
P. W. FLEMING,
E. STACY,
Committee of Citizens of the 15th Dist., Liberty County, Ga.

[AUGUST 5, 1862.—For Milton to Randolph, in relation to certain Florida organizations, &c., see Series I, Vol. LII, Part II, p. 336.]

GENERAL ORDERS, No. 56.

WAR DEPARTMENT,
ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, August 6, 1862.

I. Military commanders have no authority to suspend the writ of habeas corpus; nor does martial law, when declared by the President under the act of Congress, justify the arbitrary establishment of the price of commodities in the trade of the citizens of the Confederate States.

II. Necessity alone can warrant the impressment of private property for public use; and wherever the requisite supplies can be obtained by the consent of the owners at fair rates, and without hazardous delay, the military authorities will abstain from the harsh proceeding of impressment.

III. Paragraph V, General Orders, No. 38, current series, is hereby revoked; and all discharges will hereafter be made under the eleventh Article of War, and General Orders, No. 26, current series.

By order:

S. COOPER,
Adjutant and Inspector General.

RICHMOND, VA., *August 6, 1862.*

His Excellency JEFFERSON DAVIS,
Richmond, Va.:

The policy of the Northern leaders in the war for the subjugation of the Southern people has been to take our chief sea-coast cities, so as to cut off all supplies from foreign countries, get possession of the border States of Kentucky, Missouri, and Tennessee, which are the great grain-growing States, properly belonging to the Confederacy; cut the railway connections between Virginia and the cotton States, and cut the cotton region in two divisions by getting full possession of the Mississippi River. By getting possession of the sea-coast cities on the one side and the principal grain-growing region on the other; by separating the cotton region of the Confederacy from Virginia and cutting it into two separate divisions; by commanding completely the Mississippi River, they expected to starve the people into subjection, or crush out one division after another by the great advantage they would possess in concentrating heavy forces upon any given section or division. The lull brought upon the people of the Confederate States by their great success during the first six months of the contest has enabled their persevering enemy to half succeed in their well-laid schemes for the complete subjugation of the Southern people. The late victories of the Confederate forces, and the repulses which the Northern troops have met with lately, have stirred up the Northern Government and people to such exertions as will in their opinion complete our subjugation at no distant day. The object of first magnitude, under existing circumstances, upon our part, is to get possession of Western Virginia, Kentucky, and Tennessee. By securing a firm foothold in these States and arming the people loyal to our cause, all the land forces within the limits of the Confederate States proper belonging to the enemy, and not protected by the sea or inland navigation too wide to be commanded by cannon, may be taken or driven beyond our limits; the Mississippi River and all the railway connections we have lost may be regained. The shortest way, then, to clear our coast of the invaders (provided a majority of the people of the Northwest could first be brought to favor an honorable peace)

would be to plant an army of sufficient power to completely control all direct communication between the people of the Northwest and those of the commercial and manufacturing States of the Northeast, by selecting and holding a military line from the most suitable point in Kentucky or Western Virginia, to a point above Lake Erie, where the communication between the lakes could be commanded with artillery on land. As the people of the Confederate States could under such circumstances live much better than those of the Northeast, we might reasonably expect them to give up the contest as hopeless.

Next in importance to obtaining full possession of the Border States and Tennessee is the holding of Charleston, Savannah, and Mobile, and the regaining of Norfolk and New Orleans. Without extraordinary exertions in a very short time on the part of our Government and people to add greatly to the effective defenses of the first three named cities, they must fall before the great force which the enemy is now energetically preparing for their possession or destruction. The heavy guns which the enemy are now preparing to arm their fleet of iron-clad steamers with will be able to batter down any of the forts as they were last season. Unless the forts are greatly strengthened and guns placed in them sufficiently powerful to disable their iron-clad steamers, we should not calculate on being able to hold those cities. The possession of these important places in addition to that of New Orleans on the part of the enemy would make the war at least one year longer than it would be, provided we hold them. Through these cities we would receive many necessary supplies from abroad. If we lose them, then the war must go on entirely within ourselves. The timely completion or procurement of the most substantial iron-clad steamers or gun-boats, with as heavy ordnance as the enemy are preparing, is one of our great necessities for coast defense. With the present progress of the work upon those at Charleston, they are not likely to be finished in time to be of any service in defending that city. The proposed plan of flanking Washington, Philadelphia, New York, and Boston was communicated verbally to you last March through Colonel Withers, of Jackson, Miss.

The foregoing views are very respectfully submitted for your consideration.

Very respectfully, yours, &c.,

J. B. GLADNEY.

RICHMOND, VA., *August 7, 1862.*

Governor HENRY T. CLARK,
Raleigh, N. C.:

DEAR SIR: Since my letter of the 2d instant the following communication has been sent from the War Department with relation to the camps of instruction in North Carolina.*

I inclose copies of the printed regulations † sent to the commandants of camps of instruction, and hope you will find in the action taken evidence of a desire to co-operate with the State authorities, and as far as possible to use the officers of the State in executing the law for an enrollment of a class of its citizens for the military service of the Confederate States.

Very respectfully, your fellow-citizen,

JEFFERSON DAVIS.

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* Not found as an inclosure or otherwise identified, but see quotations therefrom in Clark to Davis, August 22, p. 67.

† Probably General Orders, No. 30, Vol. I, this series, p. 1094.

RICHMOND, VA., *August 7, 1862.*

His Excellency JEFFERSON DAVIS,
Richmond, Va.:

DEAR SIR: Last winter there was to a limited extent put on foot a plan of operating upon the people of the Northwest, through the press, with a view of getting them to take a proper view of the war raging, and its ultimate ruinous results if successful according to the views of the people of the Northeast. Among other papers prepared in part to this end there was a report submitted to the planters' convention held at Memphis, Tenn., in February last, the main object of which was to bring new issues before the people of the Western States. The paper has been examined by the editor of the Mississippian, Prof. J. D. B. De Bow, and other well-informed gentlemen, all of whom approve of its main features. By agreement with Prof. J. D. B. De Bow it will appear in the next number of his Review. In the meantime it is to be printed in circular form because the present is considered a favorable time for its circulation in the West on account of your recent victories. Should you favor the document and its objects, your patronage in giving circulation and effect is considered to be highly important. In connection with this a large army of observation is proposed occupying a military line between a suitable point on the Ohio River and a point above Lake Erie, not for the purpose of invading the Northwestern States, but with the view of bringing about an honorable peace before the power of the American people is reduced to suit the views of European governments, and for the purpose of opening up the natural highways and markets for the Southern and Western people.

I remain, very respectfully, yours,

J. B. GLADNEY.

[AUGUST 8, 1862.—For Harris to Davis, in regard to recruiting for the Tennessee regiments serving in Virginia, see Series I, Vol. LII, Part II, p. 339.]

RICHMOND, *August 9, 1862.*

Hon. G. W. RANDOLPH,
Secretary of War:

DEAR SIR: I have the honor to acknowledge yours of the 5th instant, inclosing an opinion of the Attorney-General as to the effect of the act of the 16th of April, 1862, on persons who are of the classes exempt from enrollment. After a careful consideration of the opinion, it does not appear to me that the construction of the law given by the Attorney-General would shorten the term of any one now in service. The period of ninety days would seem from the language of the law to have been considered by the Congress as necessary to obtain recruits to supply the places of men who were to be discharged by expiration of term of service and exemption from military conscription. In the last proviso to the first section of the act it seems to have been contemplated that less time would suffice, and therefore provision was made for an earlier discharge in the contingency that their places were sooner supplied, from which it would appear that the intent was to limit the detention beyond the period of enlistment to the shortest space which the public exigency would permit in all

cases where the soldier did not belong to the class which was to constitute the Army of the Confederate States.

I have said this much not to sustain or combat any particular opinion, but the rather to show how well you might have entertained a doubt as to the true meaning of the law, which warranted you in calling upon the Attorney-General for an official opinion, and also to sustain me in suggesting to you the propriety of accepting the opinion, although your judgment may not be entirely convinced. The opinion of the law officer of the Government, though it cannot bind the conscience of the head of a Department, nor therefore entirely relieve him from responsibility, may well be relied upon to solve a doubt, and in questionable cases to sanction official action. Comity between the different Departments indicates the propriety of accepting an opinion on a question of law which has been given by the Attorney-General in response to the request of a member of the Cabinet.

I am, very respectfully and truly, yours,

JEFF'N DAVIS.

SPECIAL ORDERS, No. 186. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, August 11, 1862.*

* * * * * * *

V. Whereas doubts have arisen with reference to the term of service of the men of the First Maryland Regiment, it is ordered that the said regiment be disbanded, and the members thereof, with all other native and adopted citizens of Maryland desirous of enlisting into the service of the Confederate States, are invited to enroll and organize themselves into companies, squadrons, battalions, and regiments, the officers of which are to be elected. The organization hereby authorized will be known as the Maryland Line.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, August 12, 1862.

His Excellency JEFFERSON DAVIS,
President of the Confederate States:

SIR: Although it is not customary for the heads of Departments to make reports at extra sessions of Congress, yet, in consideration of recent changes in the organization of the Army, and of the necessity for further legislation, it is deemed best to depart from this usage on the present occasion.

It became apparent in the course of the last spring to all acquainted with the condition of the Army that the acts of Congress providing for re-enlistments would not effect the desired object. The privilege allowed of re-enlisting for different corps, and even for different arms of the service, coupled with the love of change always found in camps, and heightened in the case of our armies by the monotony and discomfort of winter quarters, caused such extensive changes that the re-enlistments tended to the disorganization of the Army.

Large numbers of our men, yearning for home, weary of the discomfort of camp life, and deceived by the apparent inactivity of the

enemy into the belief that their services were no longer necessary, declined to re-enlist, and prepared to turn over the burden of the war to those who had as yet borne no part of it. Efforts to procure re-enlistments and the expectation of change relaxed the discipline of the Army, impaired its efficiency, and rendered it incapable of accomplishing what otherwise might have been achieved.

While our armies were thus passing through successive stages of disorganization to dissolution, those of the enemy, recruited and reorganized, had reached a high state of efficiency, and were ready at the opening of the campaign to enter upon it, with every guarantee of success that numbers, discipline, complete organization, and perfect equipment could afford.

The success they obtained under these circumstances, far from being a matter of surprise, were necessary consequences of the relative conditions of the armies, and it is truly surprising that these successes were not greater and more complete.

The plan of voluntary enlistment having failed to preserve the organization, and to recruit the strength of our armies at a time when the safety of the country required both to be effected, a resort to draft or conscription was the only alternative. To all acquainted with the true condition of things there could be no ground for doubt. In a period of thirty days the terms of service of 148 regiments expired. There was good reason to believe that a large majority of the men had not re-enlisted, and of those who had re-enlisted a very large majority had entered corps which could never be assembled, or, if assembled, could not be prepared for the field in time to meet the invasion actually commenced.

There was, therefore, an interval of disorganization and weakness impending, and the enemy had already entered Virginia with an army now known to have had more than double the numerical strength of our own, and superior to it in everything but courage and a good cause. It was obvious that conscription alone could save us, and it could hardly be supposed that a Constitution adopted in the midst of war inhibited the only possible mode of raising armies.

Influenced by these and other considerations, Congress adopted the measure popularly known as the conscript act. Four months have not elapsed since its passage, and the present condition of the Army and of the country sufficiently proves its wisdom. Four months ago our armies were retiring, weak and disorganized, before the overwhelming force of the enemy, yielding to them the sea-coast, the mines, the manufacturing power, the grain fields, and even entire States of the Confederacy. Now we are advancing, with increased numbers, improving organization, renewed courage, and the prestige of victory, upon an enemy defeated, disheartened, and sheltering himself behind defensive works and under cover of his gun-boats. A military system which has done so much in so short a time should be cherished and perfected and its defects speedily corrected.

Soon after the passage of the conscript act the Department prepared to carry it out, and on the 28th of April published General Orders, No. 30, a copy of which is herewith returned, prescribing regulations for the enrollment, mustering in, subsistence, transportation, and disposition of conscripts.*

It was determined to establish one or more permanent camps in each State at points selected with reference to health and facilities

*See Vol. I, this series, p. 1094.

for subsistence and transportation. Each camp has its commanding officer, its drill officers, its commissary, quartermaster, and surgeon. The conscripts are to be assembled, drilled, taken through the camp diseases, and distributed among the regiments of the State in proportion to their respective deficiencies.

The necessity of sending them immediately into the field has interfered with this plan of operations, but it has been carried out as far as practicable, and during any period of comparative inactivity it can be fully executed. Recruits thus prepared for the field will be little inferior to old soldiers, and the Army will be relieved from its crowded hospitals and the long train of ineffectives that now drags in its rear.

The greatest difficulty encountered in the execution of the law has been that which constitutes the chief impediment in all involuntary military systems—the enrollment of recruits. The third section of the act requires the enrolling officers of the State to be used with the consent of the respective Governors, and it is only on failure to obtain such consent that the President is authorized to employ Confederate officers.

The military systems of many of the States are fallen into such disuse that there are either no enrolling officers, or none that can be relied on. So far the experiment of using State officers has proved a failure, and I would suggest that permission be given to resort to other measures for enrolling recruits.

This may be done either by the appointment of a certain number of enrolling officers for each Congressional district, or by giving each corps supernumerary officers to act as enrolling officers for the corps. The latter plan would probably give more activity and efficiency to enrollments than the former, as the enrolling officers would be under military control, and if inefficient, might be ordered back to their regiments and be substituted by others.

The fourth and thirteenth sections of the act require all conscripts and volunteers to enter companies in existence at the passage of the act, thus cutting off recruits for companies mustered into service after that time. The object of this restriction was apparent, the new companies then forming were allowed thirty days to complete their organization, and had the advantage over companies in the field in recruiting. It was supposed necessary, therefore, to restore equality by giving the conscripts and volunteers after thirty days to the old companies.

The effect will be that many fine regiments brought into service since the passage of the act will go down for the want of recruits. I think it will be well to permit conscripts to be assigned and volunteers to enter all companies in service.

It is true that the number of regiments is already too great, and that it is impossible to keep them all up. This may have been a motive for restricting recruits to old regiments and permitting the others gradually to decline. But it will be better to discriminate in the reduction of the number of regiments, and to consolidate such as become too weak to be recruited. The power of consolidating regiments, battalions, and companies is so essential that our armies cannot be maintained in a tolerable state of efficiency without its exercise. The Department has been compelled to disband corps because useless from loss of men or other cause, but as the law now stands this can only be done by discharging the entire corps and enrolling the men within the conscript age for service in other companies.

Two inconveniences attend this mode of proceeding: First, all the men over thirty-five and under eighteen are lost, even though they have enlisted for the war; secondly, it is doubtful whether conscripts can be enrolled out of their own States, and a company, therefore, cannot be disbanded out of the State in which it was raised without losing the whole company.

I suggest, therefore, that whenever a corps becomes so much reduced as to be unfit for service, and there is no reasonable expectation of recruiting it, the President be authorized to disband it, to put the officers out of commission and to transfer the non-commissioned officers and privates to other corps from the same State. It may be objected that this violates the contract of enlistment, which is for service in the company selected by the volunteer, and thus the Government in accepting the volunteer impliedly engages to keep him in the company of his choice. I think that the engagement of the Government is fulfilled by retaining the volunteer in his company so long as it is fit for service, but that there is no implied promise to discharge him when his company can be no longer preserved. Such a promise would be a premium to inefficiency. A company anxious to leave the service would secure its object by rendering itself unfit to remain.

I also further recommend that power be given to enroll conscripts wherever they may be found. Military service is a debt due to the Confederacy, and the power of exacting it should not depend on the accident of place. Conscription may be altogether avoided by large numbers of men, if merely crossing a line exonerates them from it. The practice of employing substitutes at pleasure, supposed to be authorized by the ninth section of the conscript act, has led to great abuses. The procuration of substitutes has become a regular business. Men thus obtained are usually unfit for service and frequently desert. The Department has restricted the practice by prohibiting the reception of unnaturalized foreigners as substitutes, but the evils of the system are still very great, and further restrictions are necessary.

It would be well to authorize substitution only where the services of the principal are equally useful to the public, at home as in the field. Such is the case with experts in trades necessary for the prosecution of the war, with overseers in districts of country having few whites and large numbers of slaves, and generally in such callings as are essential to the public welfare. It is unwise to injure the public service for the benefit of individuals, and therefore no substitution founded merely on considerations of private interest should be tolerated.

In this connection I desire to call attention to what seems to be an omission in the exemption act. Millers, tanners, and salt-makers are essential to the prosecution of the war. Without them armies can neither be subsisted nor properly clad. They are equally essential to the community at large, and the restriction of such callings to persons under eighteen and over thirty-five years of age inflicts injury upon the Army and upon the people. I recommend, therefore, that they be included in the exemption act.

The greatest defect in our present system is to be found in the rule of promotion established by the tenth section of the conscript act, and by the acts of the Provisional Congress, approved December 11, 1861, and January 22, 1862. They require promotion to be by seniority. To this rule no valid objection could be made if provision were made for exceptional cases in which it becomes impracticable. In long-established armies seniority implies experience, and the rule is

applied to individuals who, by previous examination or other test, have been found qualified for their position. In our armies there is little or no difference in the experience of our officers, and no test is applied to ascertain their moral or intellectual fitness for a commission.

As the act provides that commissions shall be granted by the President, it was supposed that this was intended as a safeguard against the admission of unqualified persons to important public trusts.

Accordingly, by General Orders, No. 39, a copy of which is herewith returned,* boards of inquiry were directed to be summoned in all cases of promotion or election where the fitness of the claimant was doubtful. This, however, only keeps out unfit persons, but makes no provision for filling vacancies in case there be no unfit person in the corps, or in case all entitled to promotion decline it. Such cases occur and they contribute an element of disorganization and inefficiency in the Army.

I earnestly recommend, therefore, that in all cases where election or promotion by seniority fails to fill a vacancy with a qualified officer, such vacancy may be filled by appointment. It may be objected that this increases Executive patronage, and by the intervention of examining boards that promotion by seniority and by election may be cut off. If the increase of Executive patronage be necessary to remove a great evil, its possible abuse is a poor argument against such increase. It is unwise to prefer certain evils to contingent abuses. Practically it has been found difficult to get the examining boards to be rigid enough; they are too apt, from indolence or good nature, to scrutinize slightly the qualifications of brother officers, and would prove to be very unfit instruments for Executive usurpation.

In this connection another serious difficulty in filling vacancies will be mentioned. It is generally supposed that the rule prescribed in the tenth section of the conscript act applies only to corps organized under that act; that the rule prescribed in the act approved December 11, 1861, applies only to reorganizations of re-enlisted corps, very few of which reorganizations actually took place, and that the act approved January 22, 1862, applies only to troops raised under an act approved May 8, 1861. But troops were authorized to be raised by acts approved May 11, 1861, and August 8, 1861, and questions arise as to what act troops come under, and what rule of promotion is provided for corps which come in under the act last mentioned. It is said that troops mustered directly into the C. S. service receive their laws of promotion from Congress, and that those raised by the Governors of States, under requisition on them by the President, are governed by the laws of their respective States. It is maintained that the latter class are militia, and that under the Constitution Congress cannot provide for filling vacancies occurring in the militia.

Great confusion, uncertainty, and inequality result from this state of things, and it is very important that a uniform rule should be applied to all. I know of no better rule than that already adopted, providing the power of appointment be given as recommended, and there be no constitutional impediments to its general application. A difficulty arises from the act authorizing the appointment of general officers, which should be removed. The sixth section of the act approved March 6, 1861, authorizes the President to organize brigades and divisions and to appoint commanding officers for them, who are to hold office only while such brigades and divisions are in service.

*See Vol. I, this series, p. 1128.

If the casualties of service destroy a brigade or a division the commission of the general expires, and if separated from his command by ill-health, wounds, or detached service, it is left without a head, there being no authority to appoint a successor without vacating the commission of the first appointee.

The Army, moreover, requires the service of generals not attached to brigades and divisions. There are crtain duties which can be better performed by general officers than by officers of lower grade, but the merit requisite for the discharge of these duties secures promotion in the line, and officers of the line are therefore unwilling to surrender their positions for staff appointments. Brigades and divisions are sometimes temporarily deprived of their commanders by the casualties of service, and it is desirable to assign general officers to such commands. It will be well, therefore, to increase the number of general officers to a definite excess above the whole number, not exceeding 8 or 10 per cent., for the purposes above mentioned.

Congress at its last session authorized the appointment of eighty artillery officers for ordnance duties, the addition of fifty engineers to the Provisional Corps, and the organization of a Signal Corps, and a Niter Corps.

All of these acts have been carried into execution. Eighty artillery officers for ordnance duty have been appointed and their duties prescribed and systematized. General Orders, Nos. 24* and 46†, herewith returned, require that every army corps shall have an ordnance officer with the rank of major, every division one with the rank of captain, every brigade one with the rank of first lieutenant, and every regiment an ordnance-sergeant. These form a corps under the Chief of Ordnance at Richmond, to whom they are required to report. Their services are important for the proper distribution and preservation of arms. Ordnance officers are also required for arsenals. For the proper discharge of ordnance duties at arsenals and in the field it will require a corps of at least 150.

I recommend, therefore, that application be made for the enlargement of the corps to that number, and that a limited number be authorized with the grade of major for service with army corps.

Most of the additional engineers have been appointed and the corps has done good service. The present law permits no higher grade than that of captain, while the other corps of the Provisional Army are organized in conformity with corresponding corps in the C. S. Army. This discrimination is unjust and impolitic. If men of talent and acquirement are needed in this corps, promotion should be offered equal to that attainable in other branches of the service.

Engineering talent is of a higher order of endowment, and should be stimulated by proper rewards. I recommend, therefore, that the grade of the Provisional Engineer Corps should be made to conform to those of the same corps in the C. S. Army.

A Signal Corps has been organized by General Orders, No. 40, a copy of which is herewith returned.‡ For the purpose of systematic instruction a confidential pamphlet has been prepared by a member of the corps and printed with due precautions to avoid publicity. Should it, however, fall into the enemy's hands no great harm would be done, as it contains the principles of the art merely, and does not disclose the key to any signal or cipher.

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*See Vol. I this series, p. 1065. †See July 1, p. 1.
‡See Vol. I, this series, p. 1131.

A Niter Bureau has also been organized, and under its able and indefatigable head, Maj. I. M. St. John, is doing good service. General Orders, No. 41, herewith communicated, was issued to facilitate the operations of the Bureau.* The production of niter is already 1,000 pounds a day, and there is good reason to think that it will reach 3,000 pounds a day and supply our consumption.

A map of a reconnaissance and Major St. John's report are herewith returned.† The Bureau has been directed to turn its attention to the mining of such materials as are required for the Army, and will do much to develop their production.

The act authorizing bands of partisan rangers has been carried into execution. Apprehending that the novelty of the organization, and the supposed freedom from control, would attract great numbers in the partisan corps, the Department adopted a rule requiring a recommendation from a general commanding a department before granting authority to raise partisans. Notwithstanding this restriction, there is reason to fear that the number of partisan corps greatly exceed the requirements of the service, and that they seriously impede recruiting for regiments of the line.

The precaution has been taken to require their organization to conform in all respects to that of other troops, and it will be only necessary to brigade such of them as are not needed for partisan service to make them in fact troops of the line, although nominally partisans. I recommend that this be authorized.

Since the adjournment of Congress our stock of arms has been largely increased by importation and capture. Our small-arms alone have increased from these sources not less than 80,000. Our supply of ammunition has also been increased by importation and manufacture, and, as already stated, we may expect at no distant day that the active and methodical operations of the Niter Corps will supply our demand and make us independent of foreign importation.

I deem it unnecessary to say anything of the operations of the Army since the adjournment of Congress. The time has not arrived for their complete disclosure, but enough has appeared to show the ability of our generals and the courage and patience of our troops.

It is to be regretted that we cannot reward such services as the Army has rendered. They are infinitely above all compensation, but something may be done to show our appreciation of them. Courage and skill cannot always command promotion. Happily for us they far exceed our means of reward, if confined to mere material benefits. It would, however, be doing our high-toned soldiers great injustice to suppose that rank and pay are their only incentives to exertion. I think that medals conferred as rewards for good conduct in the field cultivate the spirit which distinguishes the patriot soldier from the mercenary, and afford means of reward without injuring the Army by excessive promotion.

I recommend, therefore, that application be made for authority to confer medals upon such officers and men as distinguish themselves in battle.

A right to control the operations of our railroads to some extent is necessary to insure quick and safe transportation and to maintain the roads in a proper state of efficiency. The regular transportation of the roads is so much deranged by the movements of troops and munitions of war that a common head during the war is indispensable. I

*See Vol. I, this series, p. 1139. †For report see p. 26.

recommend that application be made for authority to exercise such control as may be necessary to harmonize the operations of the roads and to maintain their efficiency, and to appoint a superintendent who shall be charged with the supervision of railroad transportation.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

EXECUTIVE DEPARTMENT,
Tallahassee, Fla., August 12, 1862.

TO THE PEOPLE OF FLORIDA:

FELLOW-CITIZENS: The highest number of votes cast at any election in the State was 12,988. In response to requisitions made for troops a sufficient number who were liable to militia duty volunteered to form thirteen regiments to serve during the war and have been mustered into the Confederate service as regiments, battalions, or independent companies.

Nearly all who held commissions as militia officers—generals, colonels, captains, and lieutenants—volunteered as private soldiers. The consequence is there is no militia organization in the State, nor can the militia be reorganized agreeably to the requirements of the statutes in force.

The inquiry has been made, "Are the few left in the State holding commissions as militia officers, and between the ages of eighteen and thirty-five, subject to be enrolled as conscripts?" I know no good reason why they should not volunteer to aid in filling up the gallant regiments whose ranks have been attenuated upon the battle-field or be placed shoulder to shoulder with such in the State as are subject to be made conscripts. To maintain the Confederate Government in the existing war in support of constitutional liberty, in support of the right of free men to govern themselves for the protection of life, freedom, and property, is a sacred duty which brave and honorable men should cordially and proudly perform. Let no man who claims to be a Floridian hesitate to offer his services as a volunteer until liable to be made a conscript.

By the vicissitudes of war the First Florida Regiment, which was honorably known at Pensacola, was reduced to a battalion, and as the First Florida Battalion distinguished itself in the battle at Shiloh and Farmington. The Second Florida Regiment in the many hard-fought battles near Richmond by soldierly endurance and noble daring immortalized itself.

The battalion and regiment command admiration among the bravest of the brave and reflect honor upon the State. Their invincible valor is appreciated by the brave men who in regiments have since left the State to become their companions in arms and to compete with them in honorable service.

Many of the noble soldiers who formed the battalion and regiment have died upon fields of battle. Gloriously and nobly they fell, vindicating with their hearts' blood the rights of free men. The ranks should be filled and their organizations preserved. Who will volunteer to supply the places of the noble dead upon future battle-fields? It is a proud privilege.

Let such as are willing and ready report to St. George Rogers, assistant adjutant-general, now in Tallahassee, and transportation

and subsistence will be furnished to enable them to join the First or Second Regiment.

If in the State there should be any belonging to regiments who in obedience to orders have left the State, they should immediately join the respective regiments to which they belong. If they hesitate or fail to do so, it is the duty of all State officers, civil as well as military, and of every patriotic citizen to aid in their arrest, to be sent to their respective regiments.

Fellow-citizens, it is probable as the winter shall approach, if the enemy shall not in the meantime be conquered, raids will be made at various points in this State for the destruction of our liberty, lives, and property. Let us be prepared to meet the enemy in defense of our rights, especially in defense of the women and children in the State.

In the several counties throughout the State all capable of bearing arms under the age of eighteen and over the age of thirty-five years, and all between the ages who are represented in the service by substitutes, should immediately form themselves into volunteer companies, not to consist of less than sixty-four, rank and file, in populous counties, and not less than forty-four, rank and file, in counties sparsely settled; elect company officers—to each company a captain, first lieutenant, and two second lieutenants—and send the election returns, certified, to Col. Hugh Archer, adjutant and inspector general, at this place, whereupon commissions will be issued agreeably to the elections, companies formed into battalions and regiments, and supplied with ammunition. Each man should bring into service his own firearms until the State can supply better arms.

It is possible that the act of Congress will be amended so as to embrace as conscripts men upward of thirty-five years old, in which event, doubtless, all who shall have been enrolled and organized as herein recommended will be retained in the State for local defense, although they may and should be mustered into the Confederate service.

Very respectfully, your fellow-citizen,

JOHN MILTON,
Governor of Florida.

HEADQUARTERS DEPARTMENT SOUTHWESTERN VIRGINIA,
Camp Narrows, August 13, 1862.

Hon. GEORGE W. RANDOLPH,
Secretary of War:

SIR: I am informed that under the recent proclamation of Governor Letcher the officers enrolling for General Floyd claim all the men in this department between the ages of thirty-five and forty-five. On the passage of the conscript act the quartermasters and commissaries were compelled to employ agents for their department over thirty-five, and the niter caves have also been to a considerable extent worked by the same class. If these men are now enrolled in General Floyd's command the quartermaster's department and the caves will be alike swept of employés. Under these circumstances I have the honor to request that you will issue some order which may arrest the progress of enrollment. Pending your action I have directed that such proceedings be stopped.

I have the honor to be, very respectfully, your obedient servant,

W. W. LORING,
Major-General, Commanding.

GENERAL ORDERS, No. 57.

WAR DEPARTMENT,
ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, August 14, 1862.

I. The transportation by railroad of cavalry and artillery horses, unless orders be given in each case permitting such transportation, is hereby prohibited.

II. Hereafter all soldiers under eighteen and over thirty-five years of age will be discharged at the expiration of the term for which they have engaged to serve.

III. The words "either directly or," first line General Orders, No. 50, will be omitted.

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 58.

WAR DEPARTMENT,
ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, August 14, 1862.

I. The following rules in relation to the examination of conscripts are published for the guidance of the enrolling and medical examining officers:

1. At each camp of instruction and at such military stations and other points as may be designated, an experienced army surgeon from a different section of the country will be detailed to examine conscripts.

2. All conscripts capable of bearing arms will be received.

3. Conscripts not equal to all military duty may be valuable in the hospital, quartermaster's, or other staff departments; and if so will be received.

4. Blindness, excessive deafness, and permanent lameness, or great deformity, are obvious reasons for exemptions.

5. Confirmed consumption, large incurable ulcers, and chronic contagious diseases of the skin are causes for exemption.

6. Single reducible hernia, the loss of an eye or of several fingers will not incapacitate the subject for the performance of military duty.

7. A certificate of disability of a conscript given by a private physician will not be considered unless affidavit is made that the conscript is confined to bed or that his health and life would be endangered by removal to the place of enrollment.

8. But when a conscript is incapacitated by temporary sickness he must present himself so soon as recovered to the enrolling officer or to the nearest school for conscripts.

9. No previous discharge, certificate, or exemption from any source will be acknowledged, except those granted to foreigners not domiciled, and to those persons who have furnished substitutes.

10. Medical officers of the Army are not allowed to examine conscripts and give certificates unless they are regularly detailed for that duty.

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General.

List of steamers which have arrived since April 27, 1862, with the date and place of arrival, and a statement of the arms on board of each one.

Date.	Names.	Place of arrival.	Number stand of arms.
Apr. 27	Cecile	Charleston	3,000
27	Nashville	Wilmington	6,420
May 24	Kate and Cecile	Charleston	5,000
25	Minho	do	5,010
June 24	Memphis	do	11,000
25	Kate	Savannah	2,060
28	Modern Greece	Wilmington	7,000
July 3	Herald	Charleston	1,280
6	Nashville	Savannah	2,600
25	Hero	Charleston	140
Aug. 3	Leopard	do	4,000
	Cuba		500
	Ann		500
	Total		48,510

J. GORGAS,
Colonel.

[AUGUST 16, 1862.]

RICHMOND, *August 18, 1862.*

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE CONFEDERATE STATES:

It is again our fortune to meet for devising measures necessary to the public welfare whilst our country is involved in a desolating war. The sufferings endured by some portions of the people excite the deep solicitude of the Government, and the sympathy thus evoked has been heightened by the patriotic devotion with which these sufferings have been borne. The gallantry and good conduct of our troops, always claiming the gratitude of the country, have been further illustrated on hard-fought fields, marked by exhibitions of individual prowess which can find but few parallels in ancient or modern history. Our Army has not faltered in any of the various trials to which it has been subjected, and the great body of the people has continued to manifest a zeal and unanimity which not only cheer the battle-stained soldier, but gives assurance to the friends of constitutional liberty of our final triumph in the pending struggle against despotic usurpation.

The vast army which threatened the capital of the Confederacy has been defeated and driven from the lines of investment, and the enemy, repeatedly foiled in his efforts for its capture, is now seeking to raise new armies on a scale such as modern history does not record, to effect that subjugation of the South so often proclaimed as on the eve of accomplishment.

The perfidy which disregarded rights secured by compact, the madness which trampled on obligations made sacred by every consideration of honor, have been intensified by the malignity engendered by defeat. These passions have changed the character of the hostilities waged by our enemies, who are becoming daily less regardful of the usages of civilized war and the dictates of humanity. Rapine and wanton destruction of private property, war upon non-combatants, murder of captives, bloody threats to avenge the death of an invading soldiery by the slaughter of unarmed citizens, orders of banishment against peaceful farmers engaged in the cultivation of the soil, are

some of the means used by our ruthless invaders to enforce the submission of a free people to foreign sway. Confiscation bills of a character so atrocious as to insure, if executed, the utter ruin of the entire population of these States, are passed by their Congress and approved by their Executive. The moneyed obligations of the Confederate Government are forged by citizens of the United States, and publicly advertised for sale in their cities with a notoriety that sufficiently attests the knowledge of their Government, and its complicity in the crime is further evinced by the fact that the soldiers of the invading armies are found supplied with large quantities of these forged notes as a means of despoiling the country people, by fraud, out of such portions of their property as armed violence may fail to reach. Two at least of the generals of the United States are engaged, unchecked by their Government, in exciting servile insurrection, and in arming and training slaves for warfare against their masters, citizens of the Confederacy. Another has been found of instincts so brutal as to invite the violence of his soldiery against the women of a captured city. Yet the rebuke of civilized man has failed to evoke from the authorities of the United States one mark of disapprobation of his acts, nor is there any reason to suppose that the conduct of Benjamin F. Butler has failed to secure from his Government the sanction and applause with which it is known to have been greeted by public meetings and portions of the press of the United States. To inquiries made of the commander-in-chief of the armies of the United States whether the atrocious conduct of some of their military commanders met the sanction of that Government, answer has been evaded on the pretext that the inquiry was insulting, and no method remains for the repression of these enormities but such retributive justice as it may be found possible to execute. Retaliation for many of them in kind is impracticable, for I have had occasion to remark in a former message that under no excess of provocation could our noble-hearted defenders be driven to wreak vengeance on unarmed men, on women, or on children. But stern and exemplary punishment can and must be meted out to the murderers and felons who, disgracing the profession of arms, seek to make of public war the occasion for the commission of the most monstrous crimes. Deeply as we may regret the character of the contest into which we are about to be forced, we must accept it as an alternative which recent manifestations give us little hope can be avoided. The exasperation of failure has aroused the worst passions of our enemies. A large portion of their people, even of their clergymen, now engage in urging an excited populace to the extreme of ferocity, and nothing remains but to vindicate our rights and to maintain our existence by employing against our foe every energy and every resource at our disposal.

I append for your information a copy of the papers exhibiting the action of the Government up to the present time for the repression of the outrages committed on our people.* Other measures now in progress will be submitted hereafter.

In inviting your attention to the legislation which the necessities of our condition require, those connected with the prosecution of the war command almost undivided attention. The acts passed at your last session intended to secure the public defense by general enrollment,

*See Lee to General Commanding U. S. Army, August 2, 1862; General Orders, No. 54, August 1, 1862; Randolph to Lee, June 29, 1862; Lee to General Commanding U. S. Army, August 2, 1862; Halleck to Lee, August 7, 1862; Halleck to Lee, August 9, 1862; all in Series II, Vol. IV, pp. 329, 836, 792, 328, 350, 362, respectively.

and to render uniform the rules governing troops in the service, have led to some unexpected criticism that is much to be regretted. The efficiency of the law has been thus somewhat impaired, though it is not believed that in any of the States the popular mind has withheld its sanction from either the necessity or propriety of your legislation. It is only by harmonious as well as zealous action that a government as new as ours, ushered into existence on the very eve of a great war, and unprovided with the material for conducting hostilities on so vast a scale, can fulfill its duties. Upon you who are fully informed of the acts and purposes of the Government, and thoroughly imbued with the feelings and sentiments of the people, must reliance be placed to secure this great object. You can best devise the means for establishing that entire co-operation of the State and Confederate governments which is essential to the well-being of both at all times, but which is now indispensable to their very existence. And if any legislation shall seem to you appropriate for adjusting differences of opinion, it will be my pleasure as well as duty to co-operate in any measure that may be devised for reconciling a just care for the public defense with a proper deference for the most scrupulous susceptibilities of the State authorities.

The report of the Secretary of the Treasury will exhibit in detail the operations of that Department.* It will be seen with satisfaction that the credit of the Government securities remains unimpaired, and that this credit is fully justified by the comparatively small amount of accumulated debt, notwithstanding the magnitude of our military operations. The legislation of the last session provided for the purchase of supplies with the bonds of the Government, but the preference of the people for Treasury notes has been so marked that legislation is recommended to authorize an increase in the issue of Treasury notes, which the public service seems to require. No grave inconvenience need be apprehended from this increased issue, as the provision of law by which these notes are convertible into 8 per cent. bonds forms an efficient and permanent safeguard against any serious depreciation of the currency. Your attention is also invited to the means proposed by the Secretary for facilitating the preparation of these notes and for guarding them against forgery. It is due to our people to state that no manufacture of counterfeit notes exists within our limits, and that they are all imported from the Northern States.

The report of the Secretary of War, which is submitted, contains numerous suggestions for the legislation deemed desirable in order to add to the efficiency of the service.† I invite your favorable consideration especially to those recommendations which are intended to secure the proper execution of the conscript law, and the consolidation of companies, battalions, and regiments when so reduced in strength as to impair that uniformity of organization which is necessary in the Army, while an undue burden is imposed on the Treasury. The necessity for some legislation for controlling military transportation on the railroads and improving their present defective condition forces itself upon the attention of the Government, and I trust you will be able to devise satisfactory measures for attaining this purpose. The legislation on the subject of general officers involves the service in some difficulties, which are pointed out by the Secretary, and for which the remedy suggested by him seems appropriate.

In connection with this subject, I am of opinion that prudence dictates some provision for the increase of the Army in the event of

*See August 18, p. 59. †See August 12, p. 42.

emergencies not now anticipated. The very large increase of forces recently called into the field by the President of the United States may render it necessary hereafter to extend the provisions of the conscript law so as to embrace persons between the ages of thirty-five and forty-five years. The vigor and efficiency of our present forces, their condition, and skill and ability which distinguish their leaders inspire the belief that no further enrollment will be necessary, but a wise foresight requires that if a necessity should be suddenly developed during the recess of Congress requiring increased forces for our defense, means should exist for calling such forces into the field without awaiting the reassembling of the legislative department of the Government.

In the election and appointment of officers for the Provisional Army it was to be anticipated that mistakes would be made and incompetent officers of all grades introduced into the service. In the absence of experience, and with no reliable guide for selection, executive appointments as well as elections have been sometimes unfortunate. The good of the service, the interests of our country, require that some means be devised for withdrawing the commissions of officers who are incompetent for the duties required by their position, and I trust you will find means for relieving the Army of such officers by some mode more prompt and less wounding to their sensibility than the judgment of a court-martial.

Within a recent period we have effected the object so long desired of an arrangement for the exchange of prisoners, which is now being executed by delivery at the points agreed upon, and which will, it is hoped, speedily restore our brave and unfortunate countrymen to their places in the ranks of the Army, from which by the fortune of war they have for a time been separated. The details of this arrangement will be communicated to you in a special report when further progress has been made in their execution.

Of other particulars concerning the operations of the War Department you will be informed by the Secretary in his report and the accompanying documents.

The report of the Secretary of the Navy* embraces a statement of the operations and present condition of this branch of the public service, both afloat and ashore; the construction and equipment of armed vessels both at home and abroad; the manufacture of ordnance and ordnance stores; and the establishment of workshops and the development of our resources of coal and iron. Some legislation seems essential for securing crews for vessels. The difficulties now experienced on this point are fully stated in the Secretary's report, and I invite your attention to providing a remedy.

The report of the Postmaster-General* discloses the embarrassments which resulted in the postal service from the occupation by the enemy of the Mississippi River and portions of the territory of the different States. The measures taken by the Department for relieving these embarrassments as far as practicable are detailed in the report. It is a subject of congratulation that during the ten months which ended on the 31st March last the expenses of the Department were largely decreased, whilst its revenue was augmented, as compared with a corresponding period ending on the 30th June, 1860, when the postal service for these States was conducted under the authority delegated to the United States. Sufficient time has not yet

* Omitted.

elapsed to determine whether the measures heretofore devised by Congress will accomplish the end of bringing the expenditures of the Department within the limit of its own revenues by the 1st of March next, as required by the Constitution.

I am happy to inform you that in spite of both blandishments and threats, used in profusion by the agents of the Government of the United States, the Indian nations within the Confederacy have remained firm in their loyalty and steadfast in the observance of their treaty engagements with this Government. Nor has their fidelity been shaken by the fact that, owing to the vacancies in some of the offices of agents and superintendents, delay has occurred in the payments of the annuities and allowances to which they are entitled. I would advise some provision authorizing payments to be made by other officers, in the absence of those specially charged by law with this duty.

We have never-ceasing cause to be grateful for the favor with which God has protected our infant Confederacy. And it becomes us reverently to return our thanks and humbly to ask of His bounteousness that wisdom which is needful for the performance of the high trusts with which we are charged.

JEFFERSON DAVIS.

WAR DEPARTMENT, SURGEON-GENERAL'S OFFICE,
Richmond, August 18, 1862.

In conformity with paragraph II, General Orders, No. 53, War Department, Adjutant and Inspector General's Office, July 31, 1862, medical directors, chief surgeons of division, and senior surgeons of brigade are not to be considered a part of the personal staff of their commanding generals. They are general staff officers, and are to be required to attend to all the particular duties of their position in the army, division, or brigade, and any change of generals of these commands does not involve them. Should different armies be consolidated under one commander, the medical directors of the armies thus absorbed cease to act as such. They must report to, and will be governed by the orders of, the medical director of the commanding general.

S. P. MOORE,
Surgeon-General.

STATE OF FLORIDA, EXECUTIVE DEPARTMENT,
Tallahassee, Fla., August 18, 1862.

The Honorable Senators and Representatives of the State of Florida, Richmond, Va.:

GENTLEMEN: Should the act of Congress relative to conscripts be amended so as to embrace persons over the age of thirty-five years there should be a saving clause in the act to retain in this State for local defense such of our citizens as shall be made subject by the amendment.

A very large proportion of those now in the service as volunteers are over thirty-five years old.

Some over that age are substitutes, and those who furnished substitutes should be made subject to perform duty for local defense against invasion.

After the most diligent inquiry, I believe the number left in the State capable of bearing arms is insufficient, unless judiciously organized into military bodies, to keep the slaves subject to authority.

I am receiving information daily, and from various parts of the State, of an increasing disposition on the part of the slaves to go to the enemy, and unless we shall have a force apparently sufficient to prevent it, they may accomplish their purpose by violence, especially if any attempt shall be made by the enemy to invade the State by land.

The exposed condition of the State geographically, the large number of slaves in it, and the immense number of our citizens absent in arms, under existing circumstances, are facts worthy the most serious consideration. Allow me to suggest most respectfully that you should advocate such measures of legislation as the safety of the State may require without compromising the honor and dignity of the State in her obligations to her sister States for the maintenance of the war.

There is another matter to which I would invite your attention. The ability of the Confederate Government to command the respect and the recognition of European Governments and maintain the war successfully with the United States depends very much upon the wise control of cotton.

The villainous traffic which is carried on by speculators under the plea of furnishing the people of the South with the prime necessities of life should be suppressed.

In November last I opposed vessels leaving Apalachicola with cotton, but agreed, after consulting the Secretary of the Navy, to let them depart with turpentine. In violation of this understanding an attempt was made to leave the port with a shipload of cotton, which was prevented by my order to General Floyd, then in command of the forces at Apalachicola. The Secretary of War, the Hon. J. P. Benjamin, interposed, insisting on the right of the vessels to depart.

Inclosed you will receive copies of the telegraphic correspondence.* Agreeably to the views of the Secretary of War five vessels were permitted to leave port and were captured by the enemy in transit, as will appear by the statement of the collector at the port.

Since then other vessels have left our ports with cotton, some of which have returned with coffee, salt, and other articles of merchandise, which the owners or their agents have disposed of at the most exorbitant prices to the citizens of this and adjacent States. Some of the goods were manufactured in the United States, and over the manufacturers' stamps upon the goods the names of English manufacturers were stamped, which upon being removed exhibited the cunning device of Yankee villainy, thus confirming a suspicion which I had entertained and expressed, that frauds were perpetrated under the pretense of loyalty to the South.

After patient inquiries of several months the evidence obtained satisfied me beyond doubt that individuals residing in New York, Boston, Havana, and Nassau, and in some of our Southern cities, had formed copartnerships by which to carry on the most nefarious and profitable traffic under false pretenses—partners residing at the South professing loyalty to the South, partners residing at the North expressing loyalty to the North, and partners at intermediate points loyalty only to circumstances. The owners or agents in Havana or Nassau receive merchandise sent from Northern cities, and received

*Not found as inclosures.

also cotton shipped from the Southern ports—the merchandise to be sent to the Confederate States, the cotton to the United States—and thus the people, North and South, were and are fleeced by speculating traitors. By such base means our citizens have been and are subjected to the vilest system of extortion for the "prime necessities of life;" and not only has cotton been thus obtained by the enemy, but information prejudicial to our interests has been obtained, our slaves have been corrupted and decoyed off, and some of the more ignorant portions of our white population made disloyal by the influence of traitorous speculators.

What would be the effect of an act of Congress prohibiting, under severe penalties, shipments of cotton or other products from our ports, and under like penalties prohibiting the introduction of merchandise from not only the United States, but all foreign countries which refuse to recognize the independence of the Confederate States of America? Our people, by industry and enterprise, can make all they absolutely need. The citizens of foreign nations, anxious to trade with us, if prevented while our ports shall be blockaded by our own Government and the patriotism of our people, will have a direct and powerful interest in the removal of the blockade. The love of speculation and profit, which makes thousands anxious for the continuance of the war, will, if all commerce shall be interdicted, make the lovers of traffic in the United States and Europe anxious to terminate a war the existence of which shall be ascertained to be the cause of cutting off all trade, legitimate or by smuggling, with people of the Confederate States. But it may be said that some commerce is necessary to enable us to get guns, firearms, and munitions of war. Have not the United States captured as many of these articles which were purchased by the agents of the Confederate Government as have run the blockade?

With the arms and munitions of war now possessed by the Confederate Government, courage and daring deeds well directed will make us take from the enemy what we need at less expense and with more glory and honor than we can obtain them otherwise while our ports shall continue blockaded and foreign nations shall quietly submit to the blockade.

It was said to be important to encourage a violation of the blockade to prove to foreign nations its insufficiency, and thus invite their opposition to it. The proof of its inefficiency has been ample, but without producing the desired effect.

Foreign nations will not recognize the independence of the Confederate States until commerce with the Confederate States will become not only desirable but necessary to their own prosperity.

Then, and not till then, will our independence be recognized and suitable treaties be made to regulate our political relations and protect our commerce with other nations.

I have the honor to be, respectfully,

JOHN MILTON,
Governor of Florida.

(To Hon. James M. Baker, Hon. A. E. Maxwell, Hon. J. B. Dawkins, and Hon. R. B. Hilton, Richmond, Va.)

P. S.—A few weeks ago cotton was taken from the South, was placed upon the mail steamers Columbia and Roanoke at sea, and sent to New York.

I hereby certify that the foregoing is a true and correct copy forwarded to the Florida delegation in Congress.

EDW. BARNARD,
Private Secretary to His Excellency John Milton,
Governor of Florida.

RICHMOND, VA., *August 19, 1862.*

The SENATE AND HOUSE OF REPRESENTATIVES OF THE CONFEDERATE STATES:

I herewith transmit for your information the report of the Secretary of the Treasury and accompanying estimates, to which reference was made in my message of yesterday, and invite your careful attention to the statements and recommendations contained in them.

JEFFERSON DAVIS.

[Inclosure.]

CONFEDERATE STATES OF AMERICA, TREASURY DEPT.,
Richmond, August 18, 1862.

Hon. THOMAS S. BOCOCK,
Speaker House of Representatives,
Confederate States of America:

SIR: I have the honor to submit the following report of the condition of this Department and of the estimates and supplies requisite for the support of the Government until the 1st of January ensuing.

The receipts at the Treasury up to August 1 from all the various sources of income are as follows:

From customs	$1,437,399.96
From miscellaneous sources	1,974,769.33
From loan, act February 28, 1861	15,000,000.00
From loan, act August 19, 1861	22,613,346.61
From call deposits under act of December 24, 1861	37,585,200.00
From Treasury notes, act March 9, 1861	2,021,100.00
From Treasury notes, act May 16, 1861	17,347,955.00
From Treasury notes, act August 19, 1861	167,764,615.00
From int. Treasury notes, act April 17, 1861	22,799,900.00
From $1 and $2 Treasury notes	846,000.00
From temporary loans from banks—balance	2,625,000.00
From war tax	10,539,910.70
Total	302,555,196.60

The expenditures at the same date are as follows:

War Department	$298,376,549.41
Navy Department	14,605,777.86
Civil and miscellaneous	15,766,503.43
Total	328,748,830.70

The difference between this sum and the receipts, amounting to $26,193,634.10, is made up of the various balances on the books of the Treasury to the credit of disbursing officers, which are not yet paid.

There are also outstanding requisitions upon the Treasury, upon which warrants are not yet issued, as follows:

War Department	$18,112,192.15
Navy Department	411,936.00
Total	18,524,128.15

This sum must be added to the expenditures paid as above in order to exhibit the whole expenditures of the Government from its commencement to the 1st of August, and the aggregate is $347,272,958.85; and for still greater accuracy it should be stated that as about $5,000,000 of the amount charged as expenditure has been paid for the redemption of deposit certificates, the aggregate above stated is subject to that abatement when considered in the light of actual expenses.

The Treasury notes issued to the same date are as follows:

General currency notes of $5 and over	$180,956,935
General currency notes under $5	846,000
Interest-bearing at rate 3.65	1,441,200
Interest-bearing at rate 7.30	22,799,900
Total	206,044,035
To pay the balance against the Treasury as above set forth there must be a further issue of	26,193,634
And to pay the outstanding requisitions, as above stated	18,524,128
Total	250,761,797
The issue already made of these notes amounts, as above shown, to	183,244,135
Leaving authority to issue only	16,755,865
Total	200,000,000

The differences between the balances now due by the Treasury, $44,717,762, and the above $16,755,865 is $27,961,897.

Unless this balance can be paid by bonds or 7.30 notes, the authority to issue general-currency notes must at once be extended to pay the same, and that authority must be extended still further to meet the appropriations already made by Congress and not yet paid, and also the further appropriations yet to be made.

The appropriations already made by Congress and not drawn on August 1 amount to $164,687,389.93.

The estimates submitted by the various Departments of the additional supplies required to make good deficiencies and to support the Government to January 1 next are as follows:

For the War Department	$44,373,590.36
For the civil list	386,607.39
For miscellaneous	102,899.38
Total	44,863,097.13

So that the whole amount of supplies required to January 1 presents a total of $209,550,487.06.

Congress must now determine the best mode of raising this sum.

If the bonds or stock of the Government to any considerable extent could be sold, they would unquestionably offer the best mode of raising the money. An examination of our funded-debt account will show that only a small portion can be raised in this way.

The whole amount of bonds and stock issued is as follows:

8 per cent. stock and bonds	$41,577,250
6 per cent. call certificates	32,784,400
Total	74,361,650

This statement, while in the large amount of call deposits it exhibits its confidence in the credit of the Government, yet in the small comparative amount of bonds and stock it shows an indisposition to make investments in that form. We are, therefore, constrained to resort to Treasury notes as the only mode by which the requisite

funds can be raised. This resource has its limits; but it is hoped that with a reasonable economy in making the appropriations the plans already set in operation will extend those limits so as to reach to the end of the war.

The inherent objections which attend a Government currency are that it disturbs the standard of value and enhances prices. The facility with which it is created is a constant temptation to excess; and the danger of this excess, together with the doubt of an ability to pay, are the chief causes which affect its credit as a currency.

Thus far no want of confidence has been exhibited in our currency. It freely circulates everywhere, and the fact that the banking institutions receive and pay out Treasury notes in their own business is the most certain indication that their credit is unimpaired.

The other cause becomes active only when the total amount of circulation exceeds the usual business wants of the community. It operates without relation to the actual value of the circulation, so that even coin, if it could be kept in a country, would (if in excess) produce the same result. The effect is a necessary consequence of the relation between the whole circulating medium and the whole business and property of the community, and can only be modified by influences upon the cause. Every means, therefore, which will reduce the quantity of circulation becomes important, and should diligently be sought after.

It was with this view that Congress adopted two measures of relief—one, by which any excess in the quantity of currency might at once be permanently withdrawn and funded in 8 per cent. bonds; the other, by which the same effect could be produced for a time, through interest-bearing notes and deposits on call. Both plans are working well. The deposits have in fact been a permanent loan at 6 per cent. The interest notes, although current to a certain degree, are usually withdrawn from general circulation as soon as a sufficient amount of interest has accrued upon them to make them valuable as a temporary investment. It must be observed, however, that if this interest should remain in arrear for a long or indefinite time, these notes encounter a difficulty which seriously impairs their value, namely, that of an unproductive investment. Thus, being both unproductive and uncurrent, they will not pass into general use unless the interest be paid annually. It will be seen that the issue of these notes already amounts to upward of $22,000,000. Much of it has doubtless been taken under the belief that the interest would be paid like other interest, and I have encouraged this belief by stating that I would recommend to Congress that the interest should be paid annually. I earnestly hope that Congress will approve this recommendation. The payment could be stamped annually on the note, without encumbering it with a coupon; and in this way it is believed the objects intended by the issue would be effected.

I would also recommend that the notes be issued of a less denomination than $100. The large amount of money in the hands of private capitalists is the fund which we must induce to be loaned for the uses of the Government. From the war tax returns and from estimates as to such States as have not yet made complete returns, this fund may be set down at $700,000,000, and one of the best means for procuring the use of part of it by the Government seems to be through these notes, which answer the double purpose of currency and investment.

I have also to report that the acceptance of deposits on call at 6 per cent. has operated well. It will be seen that nearly $30,000,000

have been deposited in this way; thus proving, at the same time, the confidence of the country in the Government and the advantages of the plan.

It will also appear from the statements herewith that there have been issued about $846,000 of notes under $5. These notes are in great demand, and the issue of them may be extended to $10,000,000.

The issue of the large amounts and various denominations of notes has confronted us with a difficulty which calls for the intervention of Congress. It requires the services of 129 clerks to perform the various duties involved in the issue of these notes. Of these about 72 are employed in signing; and it will be readily seen that the chief security intended by the signing is thus reduced to but little practical value. It is difficult for any one to bear in mind the signatures of so many different writers; but when to this is added the changes required by sickness, absence, and resignations, it becomes impossible.

These embarrassments have been increased by the efforts of our enemies to counterfeit the notes. Organized plans seem to be in operation for introducing counterfeits among us by means of prisoners and traitors; and printed advertisements have been found, stating that the counterfeit notes, in any quantity, will be forwarded by mail from Chestnut street, in Philadelphia, to the order of any purchaser.

Under these circumstances it will be necessary to change many of the plates and to make new issues. The change would be more complete by dispensing with the variety of signatures, which are attached to the other notes. I am informed by the engravers that the signatures of the register and treasurer might be engraved in fac simile and printed, and that by stamping an elaborate engraving in colors on the back of the note the security against counterfeits would be greater than it is at present. The expense of the issue would be diminished by dispensing with the numerous signing clerks, and its more prompt execution would be secured. In order to make this change the authority of Congress is necessary. The laws against counterfeiting, if not already sufficient, must be made to embrace these notes. In this connection, too, it is proper to bring to the notice of Congress that the penalties of the law, while they apply to any person found in possession of counterfeit blank notes, with intent to utter them, do not seem to embrace notes which are completely filled up and ready for circulation.

The situation of the country made it advisable to remove the printing and engraving establishments from Richmond shortly after the last adjournment of Congress. The distance from the seat of government at which so delicate a business must now be conducted involves the necessity of greater expense and of greater ability and higher character than those of ordinary clerks, in those who must superintend. I would, therefore, respectfully suggest that this Department be made a separate bureau, and that a chief clerk, with an appropriate salary, be charged with the superintendence of its business at Columbia.

The war tax has been paid by the several States as follows:

North Carolina	$1,400,000.00
Virginia	2,125,000.00
Louisiana	2,500,000.00
Alabama	2,000,000.00
Georgia	434,126.12
Florida	225,374.11
Mississippi	1,484,467.67
Total	10,168,967.90

The State of Georgia has substantially paid in the balance due by her, and the State of South Carolina has paid the whole amount due by her into the Treasury, in the form of 6 per cent. call certificates. But as the final settlement has not yet taken place, the certificates have not as yet been delivered up and the account is not yet closed. The returns from the States of Alabama, Louisiana, Mississippi, Arkansas, and Texas have not yet been rendered in complete. The two former States have, nevertheless, paid their taxes in advance.

From the documents furnished it appears that the States of North Carolina and Alabama have overpaid their respective assessments, and I will ask leave to submit an estimate of the amounts to be refunded them as soon as the complete returns shall be received.

The collection of the war tax has presented several difficulties, which it is proper that Congress should have in view whenever a further tax shall be levied. These difficulties are presented together in a report from the chief clerk of the War-Tax Office, a copy of which is herewith respectfully submitted. It is also proper to state that by a judgment of the district judge of South Carolina money invested in State bonds has been excepted from the war tax. An appeal has been ordered from this judgment, but as no supreme court has yet been organized, the effect of the judgment will be to release from any future tax all moneys invested in this form in South Carolina, or in any other State wherein the district judge may hold the same opinion.

Since the last meeting of Congress I have appointed three new places of deposit for public moneys—one at Galveston, Tex., one at Knoxville, Tenn., and one at Augusta, Ga.

The assistant treasurer at New Orleans has removed his office for the time to Jackson, Miss., and the depositary at Mobile has made a temporary removal to Montgomery, Ala.

All of which is respectfully submitted.

C. G. MEMMINGER,
Secretary of the Treasury.

[Sub-inclosure.]

TREASURY DEPARTMENT, WAR-TAX OFFICE,
August 1, 1862.

Hon. C. G. MEMMINGER,
Secretary of the Treasury:

SIR: Believing that the continuance of the war and the exigencies of the country arising therefrom will impose upon Congress the duty of providing for another war tax, I feel it my duty to present for your consideration some of the views I entertain, which result from my observation of the operations of the act of 19th of August, 1861, and to suggest certain amendments which I think should be adopted in the construction of any statute that Congress may enact on this subject.

It is not intended to dictate to you what you should recommend Congress to do in the premises, but merely to lay my suggestions before you, so that, if you perceive any merit in them, you may adopt such as are approved, and present them at the proper time for the consideration and action of Congress.

The returns, so far as received from four States, exhibit an inequality in the valuation of certain species of property, which is unjust in its effects upon a large portion of tax-payers, and which, in any future legislation, I think, should not exist. For instance, in the

State of Virginia the average value of slaves, according to the war-tax assessments, is $350.64, while the average in some counties goes up to $400, and in others falls below $300. The citizens of the latter counties contribute to the general fund for war purposes one-fourth less than those of the former. Such inequality is unjust and bears heavily on that class of citizens who are most willing to bear the burden of taxation, and who consequently place upon their property a liberal valuation. Besides, it is calculated to produce murmurings and discontent among the people.

In view of these facts it seems to me that a uniform rule of valuation for slave property in each State should be incorporated in any future tax law that may be passed, so that those slaves of like age and sex should have a uniform valuation fixed by the act itself throughout the whole State.

It would be difficult to adjust any uniform scale of classification for real estate, which is affected by so many contingencies and incidents arising from position with reference to marts of trade and commerce, navigable waters, railroads, &c., but with slaves it is different. Those of like age and sex usually maintain the same price within the limits of the same State. In connection with this subject I beg leave to make a quotation from the report of Joseph D. Pope, esq., chief collector of war tax for the State of South Carolina. He says:

> Those persons appointed by the sub-collectors to make the assessment of the property in the State have, doubtless, endeavored to discharge the duties fairly and impartially, and in many instances have given great satisfaction, but in other instances the work has been imperfectly done. This results not so much from the fault of the assessors as from the difference of opinion that will exist as to the value of property by two persons in the same community.
>
> It is respectfully submitted that by putting a valuation upon slaves by law, according to a classification as hereinbefore referred to (that is, to fix a scale of value for all slaves in each State according to age, sex, and qualifications), the assessors may be dispensed with entirely and the expense of that part of the machinery saved. The sub-collector can make his appointments throughout the district and take the returns in the same manner as is now done by the State tax collectors, and he can fix the value of property quite as well as the assessor, and in less time. If a valuation be put upon slaves by law, the only class of property now taxed that would be likely to give rise to a difference of opinion is real estate, and the sub-collector's general knowledge of all lands in his district, with the representations of the owner under oath, aided by the opinion of disinterested persons, would enable him to fix the value for taxable purposes without difficulty. The assessors arrive at their conclusions in the same way in taking the present returns. Large towns and cities may be made an exception, and for them an assessor or assessors may be appointed if necessary.

In addition to these views of Mr. Pope it may be further suggested that each county should constitute a tax district, except in the case of very large counties, which may be divided into two, and that large towns and cities may be managed in the same way.

The sub-collectors' compensation should be a certain per cent. on all sums under $10,000, say, and a diminished per cent. on all over that amount and under $20,000, and so on, regularly diminishing the per centum as the amount increases, so as to make it to his interest to collect the last cent due. It may be objected to the proposition to dispense with assessors that there would be no tribunal to determine appeals from assessments and applications for a reduction of double tax. This tribunal might be supplied by the appointment of a commissioner for each district from one of the magistrates of the county, binding him by a suitable oath and giving him the usual fees for trying cases. The most serious evil of the present system of assessments is the diversity of opinion among so great a number, and the

consequent inequality of valuation of the same species of property, and the inequality of taxation resulting therefrom.

The present law requires each tax-payer to deliver a written list of his property. In lieu of this blank printed lists should be supplied to each tax-payer by the person receiving the return.

For reasons heretofore expressed in a communication to you dated 7th of April last I would further suggest that Congress be asked to authorize the appointment of a disbursing agent, to be attached to this office, whose duty it shall be, under the supervision of the Secretary, to examine all war-tax accounts and settle the same by his requisition on the Treasury, and to make monthly or quarterly statements, as may be deemed most proper, to the First Auditor, so that his monthly or quarterly transactions, as the case may be, may be presented in one large account, accompanied by the stated accounts settled by him as vouchers.

All of which is respectfully submitted.

T. ALLAN,
Chief Clerk of War Tax.

ORDNANCE BUREAU,
Richmond, Va., August 20, 1862.

Hon. G. W. RANDOLPH,
Secretary of War:

SIR: On March 28 last I received a letter from you inclosing the resolution of Congress inquiring into the loss of stores of various kinds in the recent reverses of our armies at Forts Henry and Donelson, and Fishing Creek, Roanoke Island, and in the retreat from Columbus, New Madrid, Bowling Green, Nashville, and the line of the Potomac.

In order to give some satisfactory report of the loss of ordnance and ordnance stores, letters were addressed to the following officers: Generals Leonidas Polk, A. S. Johnston, and Benjamin Huger, Lieut. Col. Milton A. Haynes, Maj. W. R. Hunt, Capt. E. P. Alexander, and Lieutenants Wright and McClung. But few of these replied; and herewith I have the honor to inclose a report as full as the information which has reached this Bureau will afford.

Very respectfully, your obedient servant,

J. GORGAS,
Colonel and Chief of Ordnance.

[Inclosure.]

*Estimates of losses at Forts Henry and Donelson reported by Lieut. Col. Milton A. Haynes.**

AT DONELSON.

32-pounder guns (two ship carronades)	10
10-pounder columbiad	1
32-pounder rifle gun	1
8-inch bronze howitzer	1
9-pounder iron nondescript guns	2
Five light batteries (average over six guns)	35
Total	50

*See also Haynes' report of March 22, 1862, Series I, Vol. VII, p. 145.

AT FORT HENRY.

32-pounder guns	10
10-inch columbiad	1
32-pounder rifle gun (burst in action)	1
Field pieces (two howitzers and one rifle 3-pounder)	6
Total	18

General Huger reports that the only information of the supplies at Roanoke Island on record in the Department of Norfolk is contained in a report of Colonel Shaw, commanding, to Brigadier-General Wise, dated January 8, of which the following is a transcript:

The defenses on Croatan Sound consist of four batteries, mounting in the aggregate thirty guns, all 32-pounders, as follows:

At Weir's Point, ten smooth-bore and two rifled guns	12
At Pork Point, six smooth-bores and one rifled gun	7
At Fort Blanchard, four smooth-bores	4
At Redstone Point, seven smooth-bores	7
Not mounted, at Weir's Point, two 32-pounders	2
At Midgett's Hommock, Roanoke Sound, two smooth-bore 32-pounders	2
Total	34

Of light artillery there are three pieces—one 24-pounder howitzer, one 18-pounder Mexican, and one 6-pounder—all mounted on carriages with limbers, but no caissons.

AMMUNITION ON HAND.

Charges for 32-pounder guns	387
Round shot	1,300
Rifle-shells	250
Primers	300
Fixed ammunition for 24-pounder howitzers	83
Box percussion-wafers	1
Portfires	150
Powder (pounds)	250
Stand of grape	315
Friction-primers	2,000
Percussion-primers	500
Junk-wads	150
Grommets	400
Canister (A powder)	98
Spherical case-shot	38
Slow-matches	10

AMMUNITION FOR SMALL-ARMS.

Ball-cartridges for percussion	52,159
Ball-cartridges for percussion issued	16,578
Ball-cartridges for flint-lock	17,183
Balls	3,320
Lead (pounds)	150
Percussion-caps	55,000

All this ammunition not used in the engagement was destroyed or captured. General Huger also reports that in addition to the above, supplies, consisting of 1,500 pounds of cannon-powder and 300 32-shell and 32-pounder shot, were afterward procured by Major Williamson from Richmond and the navy-yard.

Capt. E. P. Alexander reports that the only loss sustained in the retreat from Manassas was 1,500 rounds of artillery ammunition, and this was destroyed to lighten the loads.

BRITISH CONSULATE,
Mobile, August 20, 1862.

Hon. G. W. RANDOLPH,
Secretary of War, Richmond, Va.:

SIR: I had the pleasure to address you under date of 4th instant, as per copy inclosed, to which I have not been favored with any reply.

Having in the meantime ascertained that British subjects having no domicile are not liable to conscription, I respectfully ask of you to be so good as to prevent the further enrollment of Her Majesty's subjects not liable to conscription in this State, as well as Florida, and that those already enrolled may be set at liberty.

It seems very singular that the Confederate Government should have one law for the States of Alabama, Florida, and Mississippi, and another for South Carolina and Virginia.

Her Majesty's consuls at Charleston and Richmond inform me that no British subjects, as before mentioned, are allowed to be conscripted, and if so, are immediately discharged.

Soliciting your early attention to my request,

I am, sir, your most obedient servant,

JAMES MAGEE,
Acting Consul.

[Inclosure.]

BRITISH CONSULATE,
Mobile, August 4, 1862.

Hon. G. W. RANDOLPH,
Secretary of War, Richmond, Va.:

SIR: I take the liberty of asking of you if British subjects who never have taken any oath of allegiance to either the Federal or Confederate Governments are liable to be forced into the Army under the conscript law?

Your early answer will oblige, sir, your most obedient servant,

JAMES MAGEE,
Acting Consul.

SPECIAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 194. } *Richmond, August 20, 1862.*

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XXV. Citizens of Maryland will not hereafter be taken as substitutes. In recruiting for the Maryland Line in this city it will be understood that neither artillery or cavalry will be received.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, August 22, 1862.

His Excellency JEFFERSON DAVIS,
President of the Confederate States:

SIR: I have the honor to acknowledge the receipt of yours of August 7, inclosing copy of Secretary of War's letter of August 5. I will thank you to recur a moment to that letter till I can correct a portion of it. Feeling a deep interest and even anxiety in the speedy and faithful execution of the conscript law, I cannot allow myself to be

represented as opposed or even neutral toward it. Section 3, conscript act, reads:

> It shall be lawful for the President, with the consent of the Governor, to employ State officers, and on failure to obtain such consent shall employ Confederate officers, &c.

Section 2, Regulations:

> Application will be made to the Governor to employ State officers. If not granted, an officer of the Army will be appointed. When State officers are employed the regulations of States will be observed, &c.

Now, this portion of the law has not been observed as far as this State is concerned. No application made; no assent asked. I do not allude to it to complain, but to correct the statement made about my course. The Secretary of War says Major Mallett and Captain McRae were recommended by General Holmes and General Hill. These recommendations are entitled to all respect, but I do not understand how it meets the requirements of the law which first applies to the Governor for the aid of State officers. In the letter of the Secretary of War is this paragraph:

> Major Mallett on 11th of June reported that, in conformity with instructions, he had applied to Governor Clark for permission to use the State officers for making enrollments, and he subsequently reported that Governor Clark did not feel himself authorized to assign these officers to him.

This paragraph misrepresents me and the facts. It surely was never contemplated that I was to assign the militia and militia officers to a Confederate major. But I had already in advance done what the law required. The adjutant-general had previously, by my orders, enrolled the militia, and I directed him to furnish the conscript officer (Major M.) with a list of all the names between eighteen and thirty-five, and furthermore furnished Major Mallett with the inclosed order to the colonels of militia to assemble their regiments at his call to receive the conscripts and correct and amend his list. But the major went further, and, without authority, ordered the colonels to enroll them and bring them to camp, which was done. He further required them to go back and hunt up the missing and runaways. The colonels objected to further service without orders from me. The colonels have executed the law as far as it has been executed without compensation or any credit, and the Governor and his militia officers are represented in the reports of Major Mallett as declining the service. It is true it has been done very imperfectly, but all that has been done has been done by State officers, and neither the conscript law nor any other law authorized me to assign these officers to him, and I was surprised that instead of acknowledging the very efficient assistance he had received from the State authorities he should have produced the impression that their assistance was declined. The Secretary's letter further states that "Major Mallett and Captain McRae in raising conscripts have been more successful than any other officers. They are sending 400 a day." Without again saying how much of this success is due our State officers, I will state the facts as given me in a report by Major Mallett on the 22d instant.

The enrolled lists of conscripts taken by State officers present more than 20,000 names. Major Mallett reports to me on the 22d instant:

Conscripts sent from Camp Holmes	3,050
Conscripts now in Camp Holmes	70
Conscripts sent from Camp Hill	854
Conscripts now in Camp Hill	1,092
Total	5,066

And coming in very slowly, so the prospect of 400 per day has vanished. The Secretary of War could not have been satisfied if he made a more thorough examination of my statements. However, General Martin has now a supervisory care of it, and I feel satisfied that he will attend to it. I felt it my duty to call attention to it in the first instance, and the reply misrepresented me, which renders this necessary, and I ask it may be laid before the Department for that purpose. I do not complain of the mode the Secretary has selected to carry out the law; trust it may prove the best, but the reading of the law had produced a different impression on my mind of the way it was to be executed, and I held myself ready to assist in that or any other mode.

I am, most respectfully, yours,

HENRY T. CLARK.

[Inclosure.]

GENERAL ORDERS, No. 5. } EXECUTIVE DEPT., NORTH CAROLINA, ADJT. GENERAL'S OFFICE (MILITIA), *Raleigh, June 11, 1862.*

Commanding officers of militia will call out their respective regiments for the purpose of the enrollment of conscripts at such times as Maj. Peter Mallett, assistant adjutant-general, Provisional Army, C. S., for the State of North Carolina, may appoint.

By order of Governor Clark:

JOHN C. WINDER,
Assistant Adjutant-General.

GENERAL ORDERS, No. 61. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, August 23, 1862.*

I. Hereafter all orders from this office published in the Richmond Enquirer will be considered by the Army as official.

II. In connection with paragraph IV of General Orders, No. 32, from this office, ambulances and wagons for the transportation of regimental hospital supplies are reserved for the special use of the hospital department. While the ambulances, wagons, teams, drivers, &c., will be borne on the returns of the quartermasters, they will be under the exclusive control of the medical officers, and will not be interfered with by any officer, except in permanent encampments, when by direction of the general commanding the wagons may, if necessary, be temporarily used for local purposes.

III. Paragraph IV, General Orders, No. 53, current series, is so modified as to read as follows:

All seizures and impressments of any description of property whatever belonging to the States of the Confederacy are hereby prohibited, and officers of the C. S. Army are enjoined to abstain carefully from such seizures and impressments; and in case they are made by mistake, such officers are ordered to make prompt restitution.

By order:

S. COOPER,
Adjutant and Inspector General.

[AUGUST 23, 1862.—For Price to Randolph, in relation to the organization of troops in Missouri, see Series I, Vol. LIII, p. 823.]

GENERAL ORDERS, No. 62. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, August 26, 1862.*

I. Major-General Huger, having been appointed inspector of ordnance and artillery for the C. S. Army, is authorized to inspect and examine into all the establishments of the Ordnance Department, and the works of all contractors for this department, including all foundries and mines of iron, lead, copper, and niter working under permanent contract, and the condition and armament of all forts and batteries, and to give such orders and instructions as will tend to increase their efficiency. All commanding officers and others in charge of such works are required to give him all facilities and assistance in their power in the performance of his duties. Such orders and instructions as he may consider necessary, and as do not conflict with the orders of this Department, will be considered the orders of the War Department, and will be transmitted at once through the office of the Chief of Ordnance. Reports of inspections will be remitted to the War Department through the same channels. The rules and mode of inspection will be, in other respects, in conformity with section II of the Regulations of the Ordnance Department, approved February 1, 1862. All officers of the Quartermaster's Department are required to furnish transportation to himself and his aides and assistants on his order. Where there are no lines of transportation he will procure it, and keep an account of the actual expenses, which account will be paid by the Quartermaster's Department on his certificate and order.*

* * * * * * *

By order:

S. COOPER,
Adjutant and Inspector General.

RICHMOND, *August 26, 1862.*

JAMES MAGEE,
British Consul, Mobile, Ala.:

I have telegraphed to Maj. W. G. Swanson as follows:

Instruct your enrolling officers, and especially those at Mobile, not to enroll foreigners unless they are permanent residents of the Confederate States; and that the oath of the party supported by the oath of one credible witness is deemed by the Department sufficient proof in such cases.

G. W. RANDOLPH,
Secretary of War.

MONTGOMERY, *August 28, 1862.*

Maj. Gen. WILLIAM KERR,
Comdg. Third Division, Alabama Militia, Greensborough:

Major-General Price, in order to insure success in the offensive operations he is about assuming, has found it necessary to withdraw all of the Confederate troops employed to garrison the different posts in his command, leaving that duty to be performed by the militia of the States, respectively, within whose limits the posts are established. Among others, he has taken the regiment stationed at Gainesville, which has been guarding the public workshops and stores at that point, and has called upon Alabama for a sufficient military force to take its place and discharge this important duty.

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* For paragraph II of this order see Series II, Vol. IV, p. 864.

In view of the exigency of the case, the regiment referred to being already withdrawn, the Governor has determined to raise from your division 500 troops to serve for thirty days, at the expiration of which they will be relieved by a force of 600 raised from other divisions. The Governor is aware that your command is greatly reduced from the very liberal contribution of volunteers to the Confederate service, and that it has already contributed more perhaps than any other section of the State in furnishing State troops to the defense of Mobile. Movements are, however, about being made which will require a much larger force of State troops, and your division will be exempted from any future call, except under the most pressing emergencies, until all the other divisions have been called out. Dispatch also is necessary, and from its local position it is presumed that the necessary force can be raised from your division for the term of thirty days much sooner than from any other division for a longer term.

Under these circumstances, therefore, the Governor orders that you will raise from your command with the utmost dispatch, by draft or otherwise, as you may deem proper, 500 troops, to proceed to Gainesville, reporting on arrival to the Confederate officer in command at that post, by whom they will be mustered into the Confederate service for a term not exceeding thirty days. Each man will furnish his own clothing and blankets for the term of service, and a serviceable gun, if possible, as well as such other equipments as may be needed, with cooked rations sufficient to last from the rendezvous to Gainesville and one day over. Transportation on railroads and steam-boats, if on the direct route, will be furnished.

In raising this force the commanding general has authority, either by himself or by delegating it to his officers, to make details from regiments, battalions, companies, or parts of companies, or by drafting the quota required from all or any part of his command, regulating the exercise of this authority by a just and sound discretion with reference to the general or partial security of the country, and such other considerations as may be deemed proper in military aspect. As the principal object in calling upon your division is to secure at the earliest possible moment the presence of the required force at Gainesville, the Governor hopes that the utmost dispatch will be urged by you upon your officers in raising the force called for.

Respectfully, &c.,

GEORGE GOLDTHWAITE.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, August 28, 1862.

Hon. GEORGE W. RANDOLPH,
Secretary of War, Richmond, Va.:

SIR: In a former communication I called your attention to the great number of partisan-ranger companies getting up in every section of our State, their inefficiency unless well officered, and the impossibility of getting proper officers now; the ruinous expense of mounted companies; but now, particularly, the great detriment it was working to the conscript law. You replied that I had overestimated the number of these companies, and sent me from your office a list of the battalions and companies that had been authorized. That list shows that you are not properly informed of the extent of this business, for it does not contain one-third of the companies that are advertised to be

raised by authority of the Secretary of War, General Holmes, General Hill, and General E. K. Smith, and the authority of these names is respected by the enrolling officers to the great detriment of the conscript act, and that you underestimate it. Many of these companies are unequipped, unarmed, and have only a paper organization to keep them from an enrollment of conscripts; and I greatly regret that it cannot be made manifest to you what little service they are and what a great and serious damage they are doing to the conscript act, and through it to the whole country. They ought not to have been taken from the conscripts, and I trust for the sake of the country it is not too late to disband them and return them to the conscripts. If that cannot be done it would be of some service to the country and save a deal of expense if they were dismounted. I understand it is proposed to correct the evil by organizing these independent companies into regiments. That is directly at variance with the policy of the conscript law, and I may say of the country, to increase the number of skeleton regiments instead of filling up those already organized and well officered. The most inexperienced and indifferently qualified officers are now most likely to be chosen, and it will greatly increase the number of the officers, and army machinery more expensive and less effective.

Another object I had in this matter was to ascertain from you what companies were properly raised, that I might have a guide for the payment of bounty which I am authorized to pay to all legally raised companies; and to perform that duty I must know who really have the proper authority. I question very much whether the act authorizing you to accept partisan rangers can be construed to authorize the Confederate authorities to raise and organize additional regiments of infantry and cavalry, as has been done in the case of Love, Palmer, Wheeler, and Ferebee, and others. I understand they are called partisan rangers, but they are in every particular newly organized regiments of cavalry, and Colonel Love of infantry, and I invite your consideration to the fact of its interference with State authorities as well as the policy of the conscript law, and when you set aside your Confederate acts the States will certainly follow so bad an example. All of these companies are made of the best material in the State, but they are unavailable and worthless for want of officers.

Very respectfully, yours,

HENRY T. CLARK.

RICHMOND, VA., *August 30, 1862.*

Hons. GEORGE B. HODGE and W. B. MACHEN,
Members of Congress from Kentucky:

GENTLEMEN: In response to several inquiries made by you in a note addressed to me yesterday I have the honor to reply. You asked, first, "whether under existing laws the President has power to suspend the enactment of Congress in regard to the conscription in Kentucky, and receive volunteers from that State who have or may organize themselves into companies, battalions, and regiments, electing their own officers." My reply is that I do not think the President has such power, and this reply embraces a response to your second question also. In answer to your third question, "whether additional legislation is desirable on the part of Congress to invest the President with such power," I reply that in my opinion it is desirable.

Your fourth interrogation reads, "whether it will be in accordance with your views that upon obtaining possession of the State a military commission shall be appointed with authority to assess damages accrued to the loyal citizens of the Southern Confederacy and levy a tax to be summarily collected upon the supporters of the Federal Government for their reimbursement." So soon as we obtain possession of the State of Kentucky the provisional government of the State will assume its functions, and no power will remain in Congress to adopt special legislation in regard to citizens of Kentucky; and if the persons named are alien enemies they are included in measures already adopted. They are subject also to such laws for the punishment of crime as may be enacted by the provisional government. I shall be happy to confer with you on any measures tending to relieve or benefit the people of Kentucky.

Very truly and respectfully, yours,

JEFFERSON DAVIS.

[AUGUST 30, 1862.—For proclamation by the Governor of Virginia, calling for a State force of 10,000 men, to be employed chiefly in the defense of Western Virginia, &c., see Series I, Vol. XII, Part III, p. 947.]

CONFEDERATE STATES OF AMERICA, EXECUTIVE DEPT.,
Richmond, September 2, 1862.

Hon. G. W. RANDOLPH,
Secretary of War:

SIR: I am directed by the President to forward to you for attention and the proper action the subjoined copies of resolutions of the House of Representatives of the 1st instant:

Resolved, That the President be requested to communicate to this House at as early a day as convenient whether the work is being prosecuted by the Government, or in any other way, on the railroad for connecting the Richmond and Danville and the North Carolina railroads, for which $1,000,000 was appropriated by act approved February 10, 1862; and what has been accomplished, if anything, to the completion of the same.

Resolved, That the President be respectfully requested to communicate to the House of Representatives whether it be true that Maj. Gen. Thomas C. Hindman, the commanding general of the Trans-Mississippi District, has caused all cotton in said district to be seized; and if so, the object for which said seizure was made. Also whether said commanding general refused to have substitutes received as soldiers in the Army of the Confederate States; also whether the said commanding general has placed said military district under martial law; also whether said commanding general has caused to be organized into new companies and regiments the conscripts of said military district and appointed officers to command the same; and if said acts, or any of them, have been done by said commanding general, that the President be requested to communicate to this House the authority or instructions under which said commanding general has taken this action.

Your obedient servant,

BURTON N. HARRISON,
Private Secretary.

EXECUTIVE OFFICE,
Richmond, Va., September 3, 1862.

GOVERNOR AND EXECUTIVE COUNCIL OF SOUTH CAROLINA:

GENTLEMEN: I have received from the Adjutant-General a communication addressed to him by Lieut. Col. J. S. Preston, the officer

charged with the execution of the law for the enrollment of conscripts in the State of South Carolina. From this communication and its inclosures I learn with profound regret that it is your purpose to promulgate an order "countervailing" that which Lieutenant-Colonel Preston has been instructed to issue, and thus to obstruct the due execution of the conscript law. The issue thus presented to the Confederate Government is one which I am unable to avoid without violation of official duty. It is of the gravest character, and I am unwilling to accept it without an appeal to your well-known and fully recognized patriotism and devotion to the common cause. I must confess that among the trials and difficulties of the pending contest for our liberties and independence none was less apprehended by me than that which would arise from the contemplated action of the executive authority of South Carolina. The grounds of your action are not disclosed otherwise than it may be possible to gather them from the papers inclosed by Lieutenant-Colonel Preston. From these it appears that on the 19th of August it was by you "resolved that Col. J. S. Preston be informed that the Governor and Council do insist upon the exemption granted by the State authorities of all persons claimed to be liable to Confederate conscription," and that by letter of the same date, addressed to the same officer, you informed him, after setting forth his order calling certain conscripts into camp, "that public policy requires that a countervailing order should issue from the State authority upon the appearance of such a one as you propose, and the duty the Governor and the Council owe to the sovereign power of the State will render it imperative upon them to do it."

If I do not misapprehend the meaning of these passages, the right is here broadly asserted that the State of South Carolina may at her pleasure relieve a portion of her citizens from obedience to laws of the Confederate Congress, admitted to be "constitutional laws" by your permitting them to be executed on another portion of the people. The right thus asserted is, to my mind, so devoid of foundation that I hesitate in attributing to you the intention of maintaining it, and still entertain the hope that I may have misapprehended your meaning. It is so very clear that the agreement of the States, as contained in the Constitution, to delegate to Congress the power to declare war and raise armies would be utterly defeated by the exercise of a power on the part of the States to exempt at their pleasure any or all of the citizens from service in the armies of the Confederacy, that I am at a loss how to illustrate so plain a proposition. If a State may free her citizens at her own discretion from the burden of military duty, she may do the same in regard to the burden of taxation, or any other lawful duty, payment, or service. In other words, the assertion of such a right on the part of the State is tantamount to a denial of the right of the Confederate Government to enforce the exercise of the delegated power, and would render a confederacy an impracticable form of government. But if it be granted even that I am wrong in these opinions, it seems to me that the proposed action of your honorable body would still be without just ground. The conscript law acts upon individuals in the different States. If any citizen of the State of South Carolina entitled to exemption from its operation is wrongfully subjected to its action by the Confederate officers, his remedy is open to him. It is plain and easy. Let him apply to the judges of the land for relief from the action of the Con-

federate officer, and if the State law be indeed valid and operative in his favor he will be released.

It seems to me that the interference of the State Executive countermanding or "countervailing" the action of the Confederate Executive is the most exceptionable of all possible means of redress for the oppression of the citizen. Most assuredly it has never seemed to me that in any conceivable case it could be my duty to "countervail" or countermand the order of the Governor of a State in its action on individuals. The Confederate courts, as well as those of the State, possess ample powers for the redress of grievances, whether inflicted by legislation or executive usurpation, and the direct conflict of executive authorities presents a condition of affairs so grave and is suggestive of consequences so disastrous that I am sure you cannot contemplate them without deep-seated alarm. On a memorable occasion in the history of South Carolina the State authority nullified an act of Congress because of unconstitutionality, but on no occasion did any portion of her citizens ever maintain the right of that State to modify an order of the General Government. It does not appear either from the resolution of your honorable body or from the letter of the chief of the military department that any other action is contemplated at present than a published order which will deter the citizens from obeying the Confederate laws and render those under them liable to punishment if it should happen that your opinion of their rights to exemption should be held erroneous by the courts. Without adverting to the deplorable effect upon public opinion that must necessarily result from the publication of orders exhibiting a direct conflict between the Confederate and State Executives, may I not appeal to your candor for the admission that the rights of the State will be equally vindicated and those of the conscript be secured with less hazard to himself by an appeal to any competent judge for relief from the order of the Confederate officer? Will not the writ of habeas corpus be amply effective to relieve him from personal constraint by the officers of the Government, if that constraint be unlawful? And if so, am I not justified in the conviction that you will upon further consideration be satisfied that no public duty imposes on you the necessity of intervening at this crisis of our fortunes in a mode which must greatly embarrass the conduct of the war? Pardon me for one more suggestion. I am informed that the exemptions claimed as valid were ordained by your convention solely with reference to your State militia; that the ordinance was passed before the passage of the conscript law, and without any reference to that law, and that by its terms it has no relation to the armies of the Confederacy. I have no copy of the ordinance and am not aware of its terms, but if my information is correct it seems to furnish an additional and persuasive reason which may lead you to the conclusion that, in view of the early meeting of your convention, you may well forbear the action indicated in your letter, and which, in my judgment, is greatly to be deprecated.

JEFFERSON DAVIS.

[SEPTEMBER 3, 1862.—For Lee to Randolph, informing him of the many conscripts obtainable in the counties of Virginia recently vacated by the enemy, &c., see Series I, Vol. XIX, Part II, p. 589.]

GENERAL ORDERS, No. 63. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, September 4, 1862.*

All general staff officers who hold appointments as such in the C. S. Army, and who have received, or may hereafter receive, appointments of higher grade in the line of the Provisional Army of the Confederate States, will immediately signify to this office their preference for one or other of these appointments, as both cannot be held by the same officer.

By order:

S. COOPER,
Adjutant and Inspector General.

[SEPTEMBER 5, 1862.—For General Bragg's orders in relation to the enforcement of the conscription law in Tennessee, see Series I, Vol. XVI, Part II, p. 797.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., September 6, 1862.

JAMES D. ARMSTRONG, Esq.,
Senate of Virginia:

SIR: I have submitted your letter of the 1st instant to the President, and am instructed to say that he will be happy to accede to the wish of the General Assembly to transfer the State forces, under General Floyd, to the service of the Confederate States, so far as he can do so with a due regard to law.

The conscript act prevents the formation of new corps from persons liable to military service, and the act authorizing the reception of troops in the service of any State applied only to regiments existing at the time of its passage. Under another act, however, the forces may be received as regiments and afterward organized into a brigade. The act of the General Assembly authorizing the formation of the forces, requiring the exclusion of persons liable to conscription, it is presumed that no such persons have been intentionally received.

The staff of the regiments should conform to that of the Provisional Army, and will be recommissioned.

A brigade will be organized and a brigadier appointed, whose commission will date from his appointment.

The companies should have a minimum number of sixty-four privates, exclusive of persons liable to conscription, if any such persons should be found in them.

This fact will be ascertained in mustering the troops into the Confederate service, and any person who has misrepresented his age and enlisted in violation of both the State and Confederate laws will be enrolled as a conscript.

The arms and accouterments will be taken at a valuation made by State and Confederate officers.

The term of enlistment will continue as provided by the act of Assembly.

Very respectfully, &c.,

GEO. W. RANDOLPH,
Secretary of War.

OFFICE SECRETARY OF THE SENATE,
Richmond, September 8, 1862.

His Excellency JEFFERSON DAVIS,
President, &c.:

SIR: I have the honor to transmit herewith a resolution which passed the Senate this day.

JAMES H. NASH,
Secretary.

[Inclosure.]

Resolved, That the President be requested to communicate to the Senate, if not incompatible with the public interest, the number of troops each State has furnished to the Confederate Army since the commencement of the war.

OFFICE SECRETARY OF THE SENATE,
Richmond, September 8, 1862.

I hereby certify that the above resolution passed the Senate this day.

JAMES H. NASH,
Secretary.

[Indorsement.]

Copy for Secretary of War.

J. D.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, September 8, 1862.

His Excellency JEFFERSON DAVIS,
President Confederate States of America:

SIR: I have the honor to acknowledge the receipt of a resolution of the Senate requesting you to inform them by what authority persons enrolled for military service under the conscript act are assembled and detained in camps of instruction before being ordered into actual service.

It was supposed to be the intention of Congress to authorize what was indispensable to the efficient execution of the law. Conscripts could not be taken individually from their homes to the Army, and hence places of rendezvous were necessary. Those at the rendezvous could be well employed while waiting the arrival of their comrades in receiving military instruction, and thus the places of rendezvous became camps of instruction, and drill-masters, being authorized by law, were duly appointed.

It was not supposed that Congress wished untaught men to be sent to the Army if opportunity were allowed to instruct them. The assembling of the conscripts rendered them liable to contract the contagious diseases, such as measles and mumps, usually known as camp diseases, and every consideration of policy and humanity forbade their being sent to the Army until sufficiently restored to endure the exposure and hardships of camp life. It was therefore considered necessary to organize hospitals at the camps.

Conscripts drilled and seasoned add immediately to the strength of the Army, while raw men [without] knowledge, unused to exposure or hardship and subject to disease, consume the subsistence of an army, crowd its hospitals, burden its transportation, and constitute an element of weakness.

The advantages of preparation are so obvious that the Department considered camps of instruction a necessary part of our military system, and inasmuch as Congress had not only recognized them by

express enactment, but provided drill-masters for them, no doubt could be entertained of the authority to establish such camps.

The call for men, however, has been so importunate that the camps of instruction have been little more than points of rendezvous, and the unprepared condition of the conscripts has been felt as an evil and made the subject of complaint from the Army.

It was never contemplated that conscripts should be detained a day after they were fit for the field, but it was hoped that they might be left a few weeks for preparation.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 64. } *Richmond, September 8, 1862.*

I. Conscripts in the employment of the Government who leave their employment without authority will be arrested as deserters on the order of the officer under whom they are employed. Conscripts working for contractors will, under like circumstances, be arrested as deserters by the enrolling officer of the district on complaint and proof by the contractor.

II. The reception of substitutes under eighteen years of age is hereby prohibited. The reception of substitutes into partisan corps is prohibited, as is also the reception of substitutes into any company not fully organized and received by the Department. A substitute becoming liable to conscription renders his principal also liable, unless exempt on other grounds.

III. Commissaries of subsistence in the field and at depots will transfer all the hides of slaughtered beeves to officers of the Quartermaster's Department, who will receive them and preserve the same to be tanned.

IV. Commanders of army corps, regiments, and battalions will make to this office monthly returns of their respective commands on the forms furnished and according to the directions expressed on them. Officers in charge of camps of instruction will make to this office on the 10th, 20th, and 30th of each month returns of the state of the recruiting service, showing the number of conscripts enrolled in camp at the date of last report, the number enrolled and accepted during the period for which report is made, the number sent forward to regiments, and the total remaining in camp.*

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By order:

S. COOPER,
Adjutant and Inspector General.

[SEPTEMBER 8, 1862.—For Lee to Davis, stating that "The present position of affairs, in my opinion, places it in the power of the Government of the Confederate States to propose with propriety to that of the United States the recognition of our independence," &c., see Series I, Vol. XIX, Part II, p. 600.]

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*For paragraph V of this order see Series II, Vol. IV, p. 872.

CONFEDERATE STATES OF AMERICA, SURG. GEN.'S OFFICE,
Richmond, Va., September 8, 1862.

Surgeon PRIOLEAU,
Savannah:

SIR: I have to inform you that you are authorized to make arrangements as complete as possible to effectually carry out the plan rendered necessary to be inaugurated by the Medical Department of collecting and preparing for use the medicinal herbs, roots, and barks so abundant in the southern latitudes of the Confederacy, and your attention is called to the propriety of at once making some simple cathartic pills, diarrhea medicine, and other mixtures for the ordinary diseases in camp. Doctor Park is an employed agent and now in Savannah engaged in the work of gathering such herbs, &c., as are referred to above. You will please report to this Bureau as you progress in this important work.

Very respectfully, your obedient servant,

S. P. MOORE,
Surgeon-General C. S. Army.

GENERAL ORDERS, No. 65. } ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, September 9, 1862.

I. Each cadet in the C. S. service will forthwith report to the Adjutant and Inspector General, Richmond, Va., the State in which he was born, the county and State whence appointed, and whether the appointment was "at large," or from a "Congressional district," his age at the date of his appointment in the Confederate service, and whether he was appointed to West Point, together with the date of such appointment and the date of his leaving.

II. Promotions of company officers as such in the Provisional Army take place in the respective companies in which the officers are serving, and not through the line of the regiment or battalion—that is, on the vacancy of the captain the first lieutenant of the company will succeed, and the second lieutenant of the same company will be entitled to succeed to the vacancy created by the promotion of the first lieutenant.

III. Paroled or exchanged prisoners, sick or wounded, in hospitals, who have not been furnished with descriptive lists will be mustered for payment upon the hospital rolls by surgeons in charge, upon their affidavit that they have not received pay for the period for which they claim it to be due and are not indebted to the Confederate Government beyond the amount which may be stated.

IV. All officers of the Subsistence Department will return to the commissary from whom they draw subsistence all barrels and sacks. If they fail to return them they will be charged 75 cents for each barrel and $1.25 for each sack

V. The medical officers detailed by virtue of paragraph I, General Orders, No 58, current series, to examine conscripts at camps of instruction, will forward every week, through the commanding officers, to the Adjutant and Inspector General, Richmond, the names in full of the conscripts received who are not equal to all military duty, but may be valuable in the hospital, quartermaster's, or other staff department, in order that they may be detailed for those branches of the service. The previous occupation of the conscript will be

reported, with a recommendation for any special duty for which he may appear suited.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA,
HOUSE OF REPRESENTATIVES,
September 10, 1862.

His Excellency JEFFERSON DAVIS:

SIR: I have the honor of apprising you that the House of Representatives this morning adopted a resolution, of which the annexed is a copy:

Resolved, That the President be requested to inform the House, if not incompatible with the public interests, the number and kind of arms and equipments issued to troops in the field and not issued; the number and kind of arms manufactured per month in the Confederate States, with the average cost of such manufactured arms.

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R. E. DIXON,
Clerk House of Representatives.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, September 10, 1862.

His Excellency JEFFERSON DAVIS,
President Confederate States of America:

I have the honor to acknowledge the receipt of a resolution of the Senate, adopted on the 8th instant, requesting you to communicate to the Senate, if not incompatible with the public safety, the number of troops each State has furnished to the Confederate Army.

I respectfully submit that the information cannot be furnished without disclosing the strength of our armies to many persons of subordinate position whose secrecy cannot be relied on. I beg leave to remind you of a report made in response to a similar one from the Federal Congress, communicated to them in secret session, and now a part of our archives. While I have no reason to doubt the fidelity of any of the officers of the Senate or of the War Department, yet it may be well apprehended that some of them are not discreet enough to be trusted with information which cannot be divulged with a due regard for the public safety.

With every possible desire to communicate the fullest information to Congress in reference to the strength, condition, and operations of the Army, I feel it my duty in the present instance to suspend action on the resolution of the Senate until their wishes are known and your instructions are received.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

RICHMOND, VA., *September 11, 1862.*

The SENATE AND HOUSE OF REPRESENTATIVES:

The circumstances necessarily surrounding an army operating in presence of an enemy render it inexpedient—next to impossible—to assemble frequent courts-martial, and to detail for them the best

officers of the Army. The ordinary attendant of the circumstances referred to is frequent offenses against military discipline and trespass upon the property of individuals inhabiting the country.

To correct these evils it is believed to be desirable that Congress should give authority to institute a commission to attend each army in the field, to be composed of men whose character and knowledge of the modes of administering justice would give the best assurance for the punishment of crime, the protection of private rights, and the security of the citizens of the country occupied by the enemy. Could courts-martial be assembled as frequently as occasion required, their functions under existing laws being limited to the consideration of offenses defined by the Rules and Articles of War, it will be perceived that a great variety of outrages against private rights might be committed of which a court-martial could not directly take cognizance. Under ordinary circumstances offenders in such cases would be turned over to the civil courts for trial. In a foreign country, or where the courts cannot hold their sessions, this is impossible, and in the case of a marching army would, for obvious reasons, be ineffectual. The witnesses whose testimony is indispensable to conviction would generally follow the march of the army and be out of the reach of the courts.

The powers delegated by the Constitution "to make rules for the government and regulation of the land and naval forces," and "to ordain and establish from time to time inferior courts," would seem ample to justify such legislation as is herein recommended, especially as the necessity for the ordinary forms of indictment and trial "for capital and otherwise infamous crimes" is expressly dispensable with by the Constitution "in cases arising in the land or naval forces or in the militia when in actual service in time of war."

JEFFERSON DAVIS.

STATE OF NORTH CAROLINA, EXECUTIVE OFFICE,
Raleigh, N. C., September 11, 1862.

Hon. G. W. RANDOLPH,
Secretary of War:

DEAR SIR: I respectfully request that you will not hereafter confer authority on persons to enlist soldiers within the limits of this State unless the applicant be indorsed by this department. Allow me, likewise, to express the hope that it will not be deemed by you incompatible with the interests of the service to revoke such authority heretofore granted to others than citizens of North Carolina. Permit me to inquire whether late enlistments of citizens of this State residing beyond the Blue Ridge Mountains, made under the authority of General E. Kirby Smith, were authorized by you. If authorized by you I request that such authority may be rescinded; if not, that you will cause such enlistments to be discontinued. I make the above requests for the following reasons: Much confusion has been produced; many soldiers have been enlisted into the service of the Confederacy from this State without the State getting credit for the same as part of her quota of troops; the operation of the act of Congress known as the conscript act is much hindered, and it is rendered difficult, if not impossible, for the State to fill up its thinned regiments already in service.

Very respectfully, your obedient servant,

ZEBULON B. VANCE.

Resolution in relation to the free navigation of the Mississippi River.

Resolved, That the President be and is hereby respectfully requested to direct such of our military commanders as may at the time be in command of the respective columns of our forces, as soon as they approach or enter the territory of the United States bordering upon the Mississippi River or the tributaries thereof, to publish proclamations assuring the people of those States, as well as all others interested, of the free navigation of the Mississippi River, according to the provisions of an act of the Provisional Congress entitled "An act to declare and establish the free navigation of the Mississippi River," approved February 25, 1861; and that said commanders cause to be published copies of said act with such proclamations.

Approved September 12, 1862.

EXECUTIVE OFFICE,
Richmond, September 12, 1862.

The SENATE OF THE CONFEDERATE STATES:

Under the first clause of the sixth article of the Constitution, I entertain doubt whether it is intended that the officers either of the Regular or Provisional Army or of the Navy, appointed during the existence of the Provisional Government and confirmed by the Congress, require to be renominated and confirmed by the Senate, and I respectfully request your advice on this point.

JEFFERSON DAVIS.

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, September 12, 1862.

Hon. G. W. RANDOLPH,
Secretary of War:

SIR: Pursuant to resolution of the House of Representatives, I have the honor to report the following as a list of partisan rangers that have been reported at this office to date:

How organized.	From what State.	By whom commanded.	Number of companies on file.
51st Regiment	Alabama	Col. J. T. Morgan	9
12th Battalion	do	Major Hundley	4
19th Battalion	Georgia	Maj. C. T. Goode	4
20th Battalion	do	Maj. J. M. Millen	2
15th Battalion	do	Lieutenant-Colonel Griffin	8
16th Battalion	do	Lieutenant-Colonel Nix	.....
1st Regiment	do	Col. S. J. Smith	12
2d Regiment	do	Col. A. A. Hunt	1
16th Battalion	South Carolina	Lieutenant-Colonel Aiken	7
9th Battalion	Louisiana	Lieutenant-Colonel Wingfield.	8
58th Regiment	North Carolina	Col. J. B. Palmer	7
59th Regiment	do	Colonel Ferebee	1
62d Regiment	Virginia	Colonel Imboden	1
24th Battalion	do	Maj. John Scott	3
27th Battalion	do	Major Edmundson	5

In addition to the foregoing, the following companies have forwarded rolls to this office:

Alabama.—Capt. B. J. West's company, Capt. A. W. De Bardeleben's company, Capt. T. H. Lewis' company.

Florida.—Capt. John Westcott's company, Capt. J. Q. Stewart's company, Capt. W. J. Robinson's company, Capt. S. W. Mays' company, Capt. P. B. Bird's company.

North Carolina.—Capt. T. W. Harris' company, Capt. D. S. Davis' company, Capt. F. G. Pitt's company, Capt. A. McIntire's company, Capt. A. B. Cox's company, Capt. J. B. McClenahan's company, Capt. J. T. Mitchell's company, Capt. J. L. Lawrence's company.

Mississippi.—Capt. G. E. Tola's company, Capt. J. M. Poitevent's company.

Louisiana.—Capt. W. B. Denson's company.

Virginia.—Capt. L. R. Smoot's company.

South Carolina.—Capt. J. H. Brooks' company, Capt. M. J. Kirk's company.

Georgia.—Capt. E. C. Anderson's company, Capt. W. L. Marler's company.

I have the honor to be, very respectfully, &c.,

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 66. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, September 12, 1862.*

I. Agreeably to paragraph I, General Orders, No. 56, current series, declaring that "military commanders have no authority to suspend the writ of habeas corpus," all proclamations of martial law by general officers and others, assuming a power vested only in the President, are hereby annulled.

II. Conscripts employed at the Government workshops of the Ordnance Department will not be interfered with by enrolling or other officers. All proceedings in reference to them will be made through the commanding officer of the ordnance establishments.

III. All conscripts or detailed or hired workmen engaged in such establishments will be provided with passes, signed by the officer immediately in charge and countersigned by Col. J. Gorgas, Chief of Ordnance.

IV. The superintendent of the Niter and Mining Bureau, or such officers as he may designate, are authorized and required to impress for the Government any mineral mines or niter caves or deposits required for the wants of the service, in all cases where such mines, caves, or deposits are suffered to remain unworked, or which may be imperfectly worked by the owner or lessor. Compensation for ore, earth, buildings, timber, and all materials necessary for such work thus taken and used may be settled by private agreement or by arbitration, under the direction of the Niter and Mining Bureau.

V. Enrolling and recruiting officers, in the discharge of their duties under the conscript or other acts, are enjoined not to remove or interfere with workmen or employés at the niter, lead, or copper works, or mines worked by Government officers, or by contractors for the Ordnance Department, without first apprising and obtaining the consent of the superintendent or officer in charge, who will be held strictly responsible for any abuse or evasion of the law.

VI. Through an error in the printed text of the Army Regulations of the Confederate States, quartermasters have allowed to servants issues of fuel and straw, &c. All officers of the Quartermaster's Department will hereafter take notice that such allowances

are illegal and will not be admitted in accounts passing through the Quartermaster-General's Office.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 67. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, September 13, 1862.*

I. Different constructions having been placed on paragraph III, General Orders, No. 65, current series, it is hereby declared that it only applies to paroled or exchanged prisoners who are sick and wounded in hospitals, and who have not been furnished with descriptive lists.

II. The Surgeon-General, the Quartermaster-General, the Commissary-General, and the Chief of Ordnance will cause an immediate and thorough inspection to be made in all the branches of their several departments, and will report to the Adjutant and Inspector General the number of able-bodied men of conscript age now in department employ whose places can be filled by conscripts accepted for such duty under the requirements of paragraph III, General Orders, No. 58, current series.

III. Surgeons in charge of hospitals, assistant quartermasters, assistant commissaries, and ordnance officers having in their employ able-bodied men of conscript age, whose places can be filled by conscripts enrolled under paragraph III, General Orders, No. 58, current series, will report the facts to the nearest enrolling officer, who will cause an exchange to be made, and will order the soldiers thus relieved from department employ to duty with their commands.

IV. Hereafter no new details which will separate able-bodied men from their regiments will be made for duty in the Hospital, Quartermaster's, Commissary, or Ordnance Departments.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, September 16, 1862.

JAMES MAGEE,
British Consul, Mobile, Ala.:

SIR: In reply to your letter of the 20th ultimo, I have the honor to say that foreigners are not subject to conscription unless permanent residents of the Confederate States, and are invariably discharged when improperly enrolled.

The necessary instructions on this point have been given to the enrolling officers, but mistakes will sometimes be made, and the Department has never yet failed to discharge a foreigner where the consul, after examination, reported that he was not domiciled in the Confederate States.

I inclose a copy of a telegram sent to you on this subject.*

Your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

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*See August 26, p. 70.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 68. } *Richmond, September 17, 1862.*

I. A board of officers will convene in this city to examine applicants for appointments as artillery officers for ordnance duty. The Board will consist of Col. T. S. Rhett, Provisional Artillery, on ordnance duty; Maj. S. Stansbury, Provisional Artillery, on ordnance duty; Capt. Benjamin Sloan; Supt. W. Le Roy Brown. Captain Sloan will record the proceedings of the Board. The senior officer present will act as president, and will cause due notice to be given of the days and place of meeting of the Board, which will sit from time to time as candidates may apply for examination. The requisites to pass the examination will be:

First. An ordinary English education.

Second. A knowledge of arithmetic, including fractions.

Third. A knowledge of the Field Manual prepared under the direction of the Ordnance Bureau.

Fourth. The Board will also examine the credentials of the applicants and take into consideration prior services tending to qualify them as artillery officers.

Fifth. The Board must satisfy themselves of the moral character of the candidates, and especially of their habitual sobriety, and they will pass no one physically unfit for the duties of an ordnance officer in the field.

After such examination as the Board thinks necessary the candidates will be arranged according to a roll of merit based upon examination and testimonials recommending them to such grade as they deem them qualified for, not above the grade of captain, the promotion to higher grade being dependent on vacancies in the field or at arsenals.

II. Paragraph III, General Orders, No. 65, current series, modified by paragraph I, General Orders, No. 67, is extended to embrace all soldiers sick in hospitals or on furlough.

III. All enrolling officers are hereby expressly prohibited from enrolling as conscripts foreigners not domiciled in the Confederate States. By domicile is meant permanent residence.

By order:

S. COOPER,
Adjutant and Inspector General.

[SEPTEMBER 18, 1862.—For Randolph to Mitchell, in relation to the receipt and disposition of arms, &c., see Series I, Vol. XIII, p. 881.]

EXECUTIVE DEPARTMENT,
Raleigh, N. C., September 18, [1862].

Hon. WELDON N. EDWARDS,
Ridgeway, N. C.:

DEAR SIR: I hear that an application has been made to you by several delegates to call the convention together again for the purpose of rectifying some omissions in the constitution. I have not investigated the subject sufficiently to judge of its necessity upon that ground, but I beg leave to join in the call for other reasons. Extortion and speculation have attained such proportions that I find on investigation it will be impossible to clothe or shoe our troops this winter without incurring a most enormous outlay and submitting to most

outrageous prices. The cotton and woolen factories have advanced their prices to an unheard-of extent, and refuse to make contracts which would prevent them from raising next week if they saw proper. The price of common shirting, for example, is 50 cents per yard. It requires 1,000,000 yards to furnish each soldier two shirts and two pairs drawers, which is the winter allowance. This you will see amounts to $500,000 simply for underclothing. When you take in the shoes and clothing (coats and pants), which have advanced in the same ratio, the sum will be almost incredible. By calculations submitted to me by intelligent gentlemen it appears that 25 cents per yard for cotton cloth will actually pay the mill owners near 300 per cent.

The cry of distress comes up from the poor wives and children of our soldiers, also, from all parts of the State. If those prices bear so hard upon the Government, what will become of them when in addition we consider the enormous rates at which provisions are selling? It is a subject that distresses me beyond measure, the more so as I feel powerless to remedy any of the evils. The Legislature, if convened, would be cramped and hampered by the forces of the constitution. The convention alone can properly take the matter in hand, and save our country and army from suffering and ruin, if, indeed, anything can rescue them from the ungodly and inhuman spirit of avarice which is rampant in the land.

In view of these and many other suggestions which I cannot elaborate in a brief letter, but which have no doubt been apparent to you for months past, I feel it my duty to urge it upon you to assemble that body together as soon as possible, to adopt such remedies as it may think best for the disorders of our country. Its business might be easily gotten through with before the Legislature assembles, so that there would be no conflict between the two bodies.

Earnestly hoping, sir, that you may concur with me in the propriety of this order, as I know you do in the desire to relieve, if possible, the burdens of our people,

I remain, with sentiments of sincere regard, your obedient servant,

Z. B. VANCE.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 69. } *Richmond, September 19, 1862.*

I. The adjutants of the regiments throughout the Army will inquire into and report all cases of slaves serving with their respective regiments without written authority from their masters. The names of such slaves and their masters will be forwarded to the office of the Adjutant and Inspector General, to be published in the newspapers.

II. The prohibition of the exportation from Virginia of wheat, flour, bacon, and corn does not extend to seed wheat. Therefore in all cases where the commanding general of the department through which it is desired to export wheat shall be satisfied that it is intended for seed and not for consumption, he shall permit it to pass.

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IV. Paragraph V, General Orders, No. 41, current series,* is hereby revoked.

By order:

S. COOPER,
Adjutant and Inspector General.

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*See Vol. I, this series, p. 1139.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., September 19, 1862.

Hon. GEORGE W. RANDOLPH,
Secretary of War:

SIR: I have the honor to acknowledge the receipt of yours of the 11th instant, inclosing copy of a letter from Maj. W. T. Walthall advising your Department that actual or threatened resistance to the execution of the conscript act in Randolph County had been reported to him, and requesting my opinion as to the best mode of avoiding bloodshed in the execution of the law, with the offer that in case the State authorities could accomplish this object better than the Confederate officers your Department would furnish any force that might be required to act as a posse under the State officers. I would beg leave to call your attention to the fact that the enrollment of persons subject to conscription has not been committed (so far as Alabama is concerned) to State officers, but that this duty from the commencement has been discharged and directed solely by Confederate officers, and under these circumstances I question the policy of calling in State officers at this time merely for the purpose of enforcing it; the more especially as neither the Executive of this State nor any of that class of officers are invested with the power of enforcing other than its own laws. Entertaining, however, the firmest conviction as to the policy and necessity of a prompt, rigid, and equal execution of the act in every part of the State, I am of opinion that in case there is reasonable grounds to believe the statements reported to Major Walthall are true, a cavalry force should at once be ordered out sufficient to put down resistance and arrest the ringleaders. This I have but little doubt could be effected without bloodshed, but the law should be enforced at every hazard. I shall feel it my duty to exert every moral influence to sustain it; will issue my proclamation and send a special aide-de-camp with the force that may be sent in order to inculcate submission and obedience, and if possible to prevent the shedding of blood; but at the same time I deem it important that those who think they can oppose effectual resistance to the law should understand clearly and distinctly that it will be enforced.

Very respectfully, your obedient servant,

JNO. GILL SHORTER,
Governor of Alabama.

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3 RUE DE LUXEMBOURG, PARIS, *September 19, 1862.*

Hon. GEORGE W. RANDOLPH,
Secretary of War, Confederate States of America:

SIR: Mr. A. T. D. Gifford and myself, having been intrusted by the Ordnance, Quartermaster's, and Surgeon-General's Departments, respectively, with orders to a large amount to be purchased in Europe and shipped to the Confederate States, I beg leave to lay before you the following statement:

These orders were handed to us in the months of October and November, 1861. Immediately on receipt of the two last Mr. Gifford sailed from Savannah in the steamer Bermuda, which, successfully eluding the blockading squadron, arrived on the 26th of November at Havana, and thence directly to London. I left Richmond, Va., on the 9th of November for Charleston, hoping to find a steamer for Europe, and after several days' delay proceeded to Savannah. At

this last place, however, the Fingal had just forced the blockade with a valuable cargo, and the enemy had redoubled their squadron. I then determined to go to New Orleans, when, after a delay of six weeks and many disappointments, I took the steamer Calhoun and reached Havana safely, and from thence to Southampton, which last I reached on the 15th of February of the present year. Here I was met with the intelligence that my friend and associate, Mr. Gifford, had sailed from London on the 24th of December in a steamer fitted out with a valuable cargo for the Confederate States. She was owned by the great house of William S. Lindsay & Co., London, into whose hands Mr. Gifford had placed the orders. I at once communicated with them, and was informed that Mr. Gifford had left Mr. Stringer, the active member of the firm, as his representative, which was entirely agreeable to me. Lindsay & Co. were then in expectation of hearing of the arrival of Mr. Gifford and his cargo, and indeed had begun to expect his return to England. They assured me that as soon as either of these occurred the whole of the orders would be at once executed, but they and the other parties interested preferred first to be sure of the success of the shipment they had made. This seemed reasonable, and I awaited with them in anxious suspense until the month of April, when the conclusion was irresistible that the steamer and all on board was lost. They then declined to fit out or participate in another shipment. I, however, succeeded in making a contract with Emile Gautherin, esq., a gentleman and merchant here of high standing and credit, as was represented to me on all sides, for the prompt execution of the order bearing date November 3, 1861, and signed by Colonel Gorgas, chief of the Ordnance Bureau. This contract entered into by Mr. Gautherin was made in due legal form, and about a fortnight thereafter Mr. G. represented to me that the cargo was bought, the steamer procured, and in a few days she would be ready to sail. It was my purpose to have gone in her, and Mr. Slidell, who had been cognizant of the contract, was formally notified by Mr. Gautherin to make ready his dispatches. Week after week passed away, and various pretexts were given for the delay of the shipment, and finally I begun to suspect that there was an intention on the part of Mr. Gautherin and his associates to abandon the enterprise. They still, however, continued to give me the assurance that the steamer would be soon dispatched.

On the 1st of September only was I enabled to force from him the fact that they had determined not to conform to their binding contract, although they had held the order for more than four months, thus cutting me off from negotiations with other parties for its fulfillment. Thus I was baffled a second time, without fault of mine, in fulfilling the orders intrusted to me. It is, however, possible that I may yet effect something, in which case I shall rely upon the equity of the Department to accept the shipments and not hold me to the limitation of time stipulated in the orders. I have deemed it due alike to the Department and myself to make this statement of facts, and would ask leave to accompany it with some views which I think will commend themselves to your judgment.

The great difficulty in negotiating orders of this nature is and has been that the risk is all thrown upon the shipper, and that the rate of insurance to cover this risk has been and will continue to be, so long as the Southern ports are blockaded, and so long as England tamely submits to the outrages committed upon her commerce and flag in and near her ports of Bermuda and Nassau by the U. S.

squadron, too enormous successfully to invite capitalists to enter into any such enterprises, even at the most liberally stipulated prices. Indeed, they do not hesitate to avow that they prefer to take the chances of running in and, from the necessities of the country, commanding far more exorbitant prices. To avoid, therefore, this ruinous and at best not very reliable system, I think I can show you how it may be replaced by a much more advantageous, creditable, and reliable one. Let the Government place its bonds or other securities in France and England as collateral security for the advances upon authorized purchases, or whatever it may require from abroad. Upon this basis a substantial and available credit could be established, purchases could be made at the regular market valuations, and the consideration for these advances would not exceed 8 per cent. per annum. When such purchases are made the shipments could be effected at the current freights. In addition there would only be the usual policy of insurance and against capture. This last is high now, and may continue so until the obstacles are removed to which I have referred. If the Government prefers to insure against the risk, especially capture by the enemy, it can afford to pay even the present enormous rates and still save from 75 to 200 or 300 per cent. The late favorable change in our national fortunes will have the inevitable effect of reducing these rates. But suppose the Government chooses to become its own insurer? In this case it will be placed upon an equality with other nations, paying only the prime costs for its purchases, with the addition of 8 per cent. per annum for its advances, and if reasonably successful in the shipments would save millions.

Now, with respect to the feasibility of making such arrangements for the credit or advances to the Confederate Government, I assure you the arrangement could be effected immediately with most responsible bankers here and in England. Indeed, it has been seriously proposed by bankers here that they should become bankers of the Confederate States, disbursing all sums needed by them for purchases, &c., and from time to time to fulfill their orders for the interest of 8 per cent. in account current, the interest to run from date of disbursement and payable semi-annually, the Confederate Government placing their own bonds or such other valuable securities as a guarantee for the final payment of the advances thus made. If more convenient, a few bonds covering the amount required would be accepted upon the condition of converting the same for smaller ones at the option of the party when circumstances allow it. Another advantage incident upon such an arrangement would be that the bonds of the Government thus placed in France or England would be in the nature of a financial recognition, and prepare the way for all future transactions of the Confederate States abroad. In the course of my efforts to have my contracts executed I have been brought into communication with many of the most responsible and intelligent business men here, and I respectfully submit the convictions that have been produced upon my own mind to you, and through you to the Government for consideration. Should these views be entertained favorably, I would gladly undertake the purchases upon this basis, in conjunction with Mr. Pecquet, of New Orleans, who has been living in Paris for some years, and whose acquaintance and connection, as well as intelligent business qualities, would greatly facilitate such a project. The commission allowed to us could be fixed by the Government.

I am, with high respect and warm personal esteem, your friend and obedient servant,

BEVERLY TUCKER.

CONFEDERATE STATES OF AMERICA, NAVY DEPT.,
Richmond, September 20, 1862.

Hon. GEORGE W. RANDOLPH,
Secretary of War:

SIR: Your last letter to me upon the subject of detailing men from the Army for the naval service, upon my application, was as follows:

> The evil of granting details from the Army has become so serious, and the complaints of the generals so great about this evil, that it is deemed inexpedient to grant any more for the present. It is from these considerations alone, and not from the least shadow of personal or official discourtesy, that your recent applications for details from the Army to the naval service have been held in abeyance.

Concurring with you fully, I have not since asked for the detail of men, but have in a few instances informed you of special cases and left the matter to your judgment. From our conversation on yesterday, I feel at liberty to renew applications for details of workmen and for discharges of seamen, to be shipped in the naval service, and therefore request that General Finegan, of Florida, may be directed to release a few men, to be shipped in the Navy by Lieut. Commander Catesby Ap R. Jones, in command of the steamer Chattahoochee, who is endeavoring to ship a crew. One of the Florida regiments, in service at Mobile, has many seamen who are anxious to enlist in the naval service. I request that the commanding general at Mobile may be also instructed to discharge such seamen wanted for the naval service there by Admiral Buchanan as may be willing to ship in the Navy, and that General Beauregard may be directed to extend the same aid to Capt. D. N. Ingraham, at Charleston.

With much respect, your obedient servant,

S. R. MALLORY;
Secretary of the Navy.

[SEPTEMBER 20, 1862.—For Letcher to Virginia House of Delegates, giving information in regard to the execution of the act authorizing the raising of a force of 10,000 men for the defense of the Commonwealth, see Series I, Vol. LI, Part II, p. 620.]

AN ACT to provide for the further issue of Treasury notes.

The Congress of the Confederate States of America do enact, That the Secretary of the Treasury be and he is hereby authorized, from time to time, to issue, in addition to the bonds, certificates of stock, and Treasury notes already authorized by law, such additional amount of the same as may be required to pay the appropriations made by Congress, at its last and present sessions, to be issued under the same forms, conditions, and restrictions as are or may be provided by the first section of the act entitled "An act to provide further means for the support of the Government," approved April eighteenth, eighteen hundred and sixty-two; the bonds and certificates of stock to be issued in preference in all cases where they can be used; and where they cannot, the deficiency to be supplied by Treasury notes.

SEC. 2. That the authority given to the Secretary of the Treasury, in the second section of an act entitled "An act to provide further

means for the support of Government," approved April eighteenth, eighteen hundred and sixty-two, to issue in exchange for Treasury notes, bonds or certificates to be reconvertible in the same, at the pleasure of the holder, shall be extended from fifty millions to one hundred millions of dollars; but the said authority shall be exercised under all the conditions and limitations prescribed in the said act.

SEC. 3. The Secretary of the Treasury is authorized to pay annually the interest accruing, on the first of January, on all interest-bearing Treasury notes, and to make all proper regulations in relation to such payment: *Provided*, That until six months after a treaty of peace, such payment shall be made in Treasury notes not bearing interest.

SEC. 4. The issue of Treasury notes under the denomination of five dollars is authorized to be extended to ten millions of dollars.

Approved September 23, 1862.

AN ACT to provide for the payment of certain claims against the Confederate States in the State of Missouri.

The Congress of the Confederate States of America do enact, That all officers and soldiers belonging to the Confederate States service who were enrolled into said service under the command of Maj. Gen. Sterling Price, in the State of Missouri, shall be allowed by the quartermasters of the respective corps in the Confederate Army to which such officers and soldiers may belong, compensation according to the laws of the Confederate States for that period of their service between the time of such troops having been actually enrolled in the Confederate service and the time of their regular acceptance by the proper authorities as Confederate troops.

SEC. 2. All officers and soldiers of the Missouri State Guard, called into the service of the Confederate States by the order of any commanding officer of the Confederate Army, and rendering service to the Confederate States under any agreement made between the authorities of the State of Missouri and those of the Confederate States, shall receive the same pay for the time during which such officers and soldiers may have been in such service as they would have been entitled to receive if belonging to the Confederate Army: *Provided, however*, That all staff officers belonging to said Missouri State Guard shall only receive for their services the same compensation with staff officers discharging like duties in the Confederate Army.

SEC. 3. Before any officer or soldier shall be entitled to receive pay under the provisions of the two preceding sections, he shall present to the officer to whom he may apply for payment a certificate signed by the commandant of the division, brigade, regiment or battalion to which he may have belonged at the time of the rendition of service, which certificate shall state the precise period during which such officer or soldier was in actual service, as contemplated in the first and second sections of this act: *And provided, further*, That the said officer or soldier shall file with the disbursing officer with whom his application for payment may be made his affidavit that the period stated in said certificate is the true and correct time of his actual service as aforesaid, and that he is not indebted to the Confederate States on any account whatever; and thereupon it shall be the duty of any officer charged with the payment of troops to pay such claim.

Approved September 23, 1862.

GENERAL ORDERS, No. 70. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, September 23, 1862.*

I. Non-commissioned officers and privates receiving an honorable discharge shall be entitled to transportation home on the certificate of the commandant of their company; or in case they cannot communicate with him, on their own affidavits that they went from their homes to the place of enlistment for the purpose of enlistment.

II. Applications for leaves of absence, furloughs, discharges, and transfers from persons in and about Richmond, who from sickness or other cause cannot communicate with their immediate commanding officers, will be made to Maj. Gen G. W. Smith, and will not be considered by the Department except on an appeal from his decision. He will prescribe the mode of examination in cases of alleged physical disability, and will submit to the Department applications for transfers to and from troops not under his command.

III. Commanding officers are directed and will be required to examine promptly the returns of their commissaries, whether the issues were made by direction of their predecessors in command or under their own direction.

IV. Applicants for the rank of captain of artillery in the Ordnance Department, in addition to the subjects mentioned in paragraph I, General Orders, No. 68, current series, will be examined upon the elements of algebra, plane trigonometry, mechanics, and chemistry as applicable to projectiles and ordnance.

By order:

S. COOPER,
Adjutant and Inspector General.

STATE OF FLORIDA, EXECUTIVE DEPARTMENT,
Tallahassee, September 23, 1862.

His Excellency JEFFERSON DAVIS,
President of the Confederate States:

SIR: Your esteemed favor of the —— instant was received by due course of mail, and it afforded me much pleasure to know that you appreciated the efforts which I have made to sustain your administration of the Government in the maintenance of the war and its general policy. You are apprised that in Florida a very large minority were opposed to secession, and in many parts of the State combinations existed to adhere to and maintain the United States Government, and even now in some portions of the State there are men who would eagerly seize any opportunity that promised success to the United States. The success of our arms has reduced very considerably the large number of Unionists. Frankness, nevertheless, requires me to say that in some instances the enforcement of the conscript act has had a most unhappy effect, and chiefly because of the order which requires invalids to be brought to the camp of instruction for examination. Those capable of rendering military service had generally been brought into service. I have no idea there will be 300 able-bodied men obtained by the act. The great majority now in camps are invalids; never will be able to render efficient service upon the field, in hospitals, or in any of the departments of the Government, and at home would be of some service in taking care of and comforting women and children. The camp of instruction has more the

appearance of a camp provided for those afflicted with lameness and diseases than a military camp, and I would most respectfully suggest that those in it physically able should be permitted forthwith to volunteer and aid in completing the incomplete organizations now here in Confederate service, and those who are not able to perform military service should be discharged and provided with the means of returning home.

I am much pleased with General Finegan. He is industrious and energetic, and superior in those respects to his predecessors, and we co-operate most agreeably; and although we occasionally differ in opinion, yet not unpleasantly. He has recommended that the ten companies of cavalry should be organized in a regiment and asked the privilege of raising more cavalry. I do not believe a regiment should be organized; that as independent companies they will be much more efficient, because, scattered as they are from one extreme of the department to the other, the captains of companies, feeling their exclusive responsibility, will be more vigilant and energetic, and when two or three companies shall be required to act together the senior captain could command. It has been seldom that any two companies have been associated upon duty; but, as eight of the companies have been in service a considerable time, and many of them reorganized under the conscript act, if made to compose a regiment they should be allowed to elect their field officers.

I have the honor to be, very respectfully,

JOHN MILTON,
Governor of Florida.

P. S.—Within the last four hours enrolling officers have reported to me that a greater number of men, able to perform military service, have evaded them than the number of men capable of being useful which they have enrolled, and that, moreover, those men cannot be brought into camps without force, which they will resist. Under existing circumstances a resort to force may lead to most injurious consequences. I do not hesitate to say that if permitted to come in as volunteers, within thirty days after authorized to receive them as volunteers, those who have assumed a hostile attitude will volunteer and make reliable soldiers and promptly move wherever ordered. In Washington County forty men have been enrolled, and I am informed only three can be brought into camp. Two weeks ago they were informed they would be received as volunteers, and twenty of them marched fifty miles and volunteered, and the rest were preparing to come when it was ascertained that the offer to receive them was the result of a telegraphic mistake, and the twenty escaped to their comrades. In connection with this subject your attention is respectfully invited to the within copy of a letter from me to our Senators and Representatives.

J. M.

[Inclosure.]

STATE OF FLORIDA, EXECUTIVE DEPARTMENT,
Tallahassee, September 11, 1862.

HONORABLE SENATORS AND REPRESENTATIVES OF THE STATE OF FLORIDA, RICHMOND, VA.:

GENTLEMEN: I have read the report of August 12, made by the Secretary of War to His Excellency Jefferson Davis, President of the Confederate States. You will excuse me, when you reflect upon the

relative position of Florida to other States and our extended seacoast, for inviting your attention to facts relative to that portion of his report in which he recommends that millers, tanners, and saltmakers should be included in the exemption act. It would be a wise exemption if confined to such as should be authorized by State authority, and that authority should be prudently, impartially, and wisely exercised; otherwise privileges may and will be abused to the detriment of the public service. Since the enactment of the conscript act many able-bodied men from adjacent States and this State have repaired to the coast of Florida, under the pretense of making salt, and to be secure in their labor some have been treacherous enough to hold intercourse with the enemy; others have been lazy loungers, more anxious to avoid military service than to make salt.

There are honorable exceptions, patriotic men, who have labored in good faith to make salt, and perhaps regret the necessity of having to charge their fellow-citizens $10 per bushel or 20 cents per pound for it. As it respects tanners being exempt, I know at least one tannery to which a shoe factory is attached, of which, according to information that I have received, and which I believe to be true, the proprietors have purchased raw hides, and employed shoemakers and other laborers at prices which prevailed previously to the war, when they sold the same kind of coarse shoes for $1.25 per pair, which they now sell [at] $5 and $6, and would gladly sell at $10. If millers, tanners, and salt makers shall be exempted from military service, it should be upon the condition that grain, cloth, leather, shoes, and salt manufactured by them should be sold at reasonable prices; maximum rates should be established, otherwise many anxious to avoid military service will not only be authorized to do so, but to make and dispose of the prime necessities of life at exorbitant prices to less fortunate fellow-citizens, to the wives and children of those fighting for their rights, and to the widows and orphans of soldiers who should be respected and protected, not only from the abuses of the enemy, but from extortions of heartless villains who would barter the liberties of the country for a "mess of pottage."

I know three men who resided in the same neighborhood. Two of them were among the first to volunteer; one of the two was killed in battle; the other wounded and his health became so much impaired that he was honorably discharged. The third man refused to volunteer; remained at home an advocate and braggart of States' rights and liberty. When the conscript act passed there was no clause in it exempting wounded soldiers who were disabled in battle and had been discharged as inefficient for military service. Such soldiers should have been exempted—at all events, should have been saved the painful necessity of being forced as conscripts into camps of instruction to be there again discharged. The wounded soldier, not yet able to perform the duties, but anxious to render service to the country and avoid the reproach to which conscripts by the thoughtless are subjected, hired a substitute to go into the ranks. The braggart, healthy, able-bodied, and wealthy, and in times past known as a rampant secessionist, has neither volunteered nor sent a substitute, but has hitherto avoided the enrolling officer by resorting to the coast under the pretense of making salt. Shall the skulking coward be favored by a legal exemption, while wounded and discharged soldiers shall be forced as conscripts into camps of instruction?

Since I have commenced to write I have been informed of ten able-bodied men associated under the pretense of making salt, who for the

last six weeks have been upon our coast without having made a bushel of salt, dodging from place to place to avoid being made conscripts, and say that they would rather die than to be disgraced by being made conscripts, and doubtless would as willingly be hung as traitors as die in battle vindicating the rights of freemen. No man should be exempt from military service for his private benefit, and foreigners residing and doing business within the Confederate States should not be exempt in this war, as they are preying upon the necessities of the people and making gain thereby. Instead of a conscript act, or an act drafting men, the law should require all men capable of bearing arms to maintain the Government of the Confederate States pending the war with the United States, and the brave men of the South will soon conquer the enemy and command the high consideration of foreign nations, and thus secure, by suitable treaties regulating commerce, what shall be necessary to our enjoyments.

I have the honor to be, very respectfully,

JOHN MILTON,
Governor of Florida.

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
SURGEON-GENERAL'S OFFICE,
Richmond, Va., September 24, 1862.

Medical directors and purveyors are herein required to cause to be made, by competent medical officers, an immediate and thorough examination of all nurses, ward-masters, cooks, clerks, and employés serving in their respective districts and depots, and will forward to this office without delay a report specifying the name, rank, regiment, company, and occupation of such able-bodied men of the above whose places can be filled by conscripts incapacitated for active military service, but accepted for other duty, under requirements of paragraph III, General Orders, No. 58, current series, from Adjutant and Inspector General's Office.

S. P. MOORE,
Surgeon-General C. S. Army.

SPECIAL ORDERS, No. 224. } ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, September 25, 1862.

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II. Lieut. Col. J. F. Gilmer, of the Engineer Corps, C. S. Army, is assigned to the charge of the Engineer Bureau.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., September 26, 1862.

His Excellency JEFFERSON DAVIS,
President Confederate States of America:

SIR: I have the honor to inclose a copy of a resolution of the Senate of the 16th instant and to say that 2,718 conscripts are reported as

enrolled and brought into service in the State of Georgia, but that the number of enrolling officers engaged in collecting the conscripts, and their cost to the Government, has not been reported.

It is proper to add that the Department, not being satisfied with the manner in which the duty of enrolling and collecting conscripts in Georgia has been conducted, has superseded Maj. John Dunwody, and assigned Lieut. Col. John B. Weems to the command of the conscript camp in that State.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

[Inclosure.]

Resolved, That the Secretary of War be requested to inform the Senate what has been the whole number of troops in the State of Georgia enrolled and brought into service by conscription; what has been the number of officers and men engaged in collecting said conscripts, and what has been their cost to the Government. If an answer cannot now be given with correctness and certainty an answer approximately requested.

OFFICE SECRETARY OF SENATE,
Richmond, September 16, 1862.

I hereby certify that the above resolution was adopted by the Senate to-day.

JAS. H. NASH,
Secretary.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., September 26, 1862.

Col. A. C. MYERS,
Quartermaster-General:

COLONEL: Governor Letcher informs me that there are a number of shoemakers in the penitentiary of Virginia who will be set at work for the Army if the Confederate Government will furnish the leather. Have you more leather than is necessary to employ your own workmen? If so, report the fact to me and I will make arrangements with the Governor to secure the services of the penitentiary. He requested me to communicate with him to-day. You will oblige me, therefore, by a speedy report. It has been suggested to me that sandals, or shoes like moccasins, might be made of rawhide in sufficient numbers to supply the temporary and immediate wants of the Army. If this is practicable the penitentiary hands might be profitably employed in the manufacture of such shoes. I must request that you will inquire into and report upon this matter without delay.

Dispatches from General Lee inform us that the army is in great want of shoes and clothing, and that its efficiency is impaired by its destitution in these particulars. I wish every possible exertion made to procure and forward supplies of clothing and shoes, especially of the latter article, and that everything else shall be for the present subordinate to this object.

Your obedient servant, GEO. W. RANDOLPH,
Secretary of War.

GENERAL ORDERS, No. 71. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, September 26, 1862.

I. All persons who have made application for appointments in the Ordnance Corps since the meeting of the present Congress will present

themselves for examination by the board of officers convened by General Orders, No. 68, Adjutant and Inspector General's Office, as soon as practicable.

II. Adjourned meetings of the Board will hereafter be held convenient to the headquarters of the armies in the field for the examination of officers who are acting but have not been commissioned.

III. Those who pass the examination at the present session of the Board will be arranged for appointment as captains, first and second-lieutenants, according to merit, and the appointments will be made from the head of the list.

IV. All officers on duty in the Ordnance Corps will hereafter be examined before promotion.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, September 26, 1862.

His Excellency JOHN MILTON,
Governor of Florida, Tallahassee, Fla.:

SIR: I have received your letter of the 16th instant, and have the honor to say in reply that the conscript act requires all persons liable to military duty to be enrolled, but before enrollment permits them to volunteer in companies which were in service on the 16th of April last, and the Department is not authorized to make any other disposition of them. General Orders, No. 58, has been modified by omitting the third paragraph, and only persons capable of bearing arms are now required to be enrolled.

Your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., September 29, 1862.

Hon. ED. SPARROW,
Chairman Military Committee, C. S. Senate:

SIR: I inclose a copy of a letter received from General Lee, and beg leave to call your attention to the necessity of providing some remedy for the evil of which he speaks.* It is to be feared that the regimental and company officers elected on the reorganization of the twelve-months' regiments are generally inferior to their predecessors, and that the efficiency of the Army will be seriously impaired unless means are provided for summarily replacing worthless officers by better men. This may be done by traveling commissions, empowered to try officers summarily, and by conferring on the President the power of appointment, where neither promotion by seniority nor election will furnish competent officers. It is useless to increase the Army unless it can be properly officered. Numbers are only a source of weakness in a badly-organized, ill-disciplined army, and it is impossible to discipline an army without efficient regimental and company

*Not found as inclosure, but see Lee to Randolph, Series I, Vol. XIX, Part II, p. 632.

officers. We cannot hope to rival the enemy in numbers, and unless we can surpass him in organization and discipline the odds against us will be fearfully great. The vast amount of stragglers which now paralyze our Army and defeat all attempts to re-enforce it is mainly due to the inefficiency of the regimental and company officers. Unless we apply a speedy remedy great disasters to our arms may be expected, and therefore, at the risk of being deemed importunate, I must earnestly beg that the bills establishing commissions to try officers and conferring the power of appointment on the President in necessary cases may be passed through Congress if possible.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

GENERAL ORDERS, No. 72. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, September 29, 1862.*

I. The President having approved an act of Congress requiring the Secretary of War "to transfer any private or non-commissioned officer who may be in a regiment from a State of this Confederacy other than his own to a regiment from his own State, whenever such private or non-commissioned officer may apply for such transfer, and whenever such transfer can be made without injury to the public service, and that the Secretary of War shall make regulations to facilitate such transfer, provided that this act shall not apply to any person who has enlisted as a substitute," it is ordered that all such applications for transfers as are contemplated by the foregoing act shall be addressed to the general commanding the army in which the applicant is serving, and shall be granted by him, without reference to the War Department, whether the transfer is within his own military department or not, provided the written consent of the commandant of the company to which the transfer is sought to be made shall first be given, and the transfer can be made without injury to the public service. In all cases in which the commanding general shall think proper to refuse such application he shall indorse the reasons for such refusal and forward the application to the Department.

II. Paragraph II, General Orders, No. 31, current series; paragraph IX, General Orders, No. 38, current series, and clause 3, paragraph I, General Orders, No. 58, current series, are hereby revoked.

III. The ration issued to hospitals will not hereafter be subject to the reduction authorized April 28, 1862, but will remain as prescribed by paragraph 1107, General Regulations.

IV. For the prompt relief of the sick and wounded of posts and general hospitals, not including those in the city of Richmond, it is ordered:

1. That the commandant of the post shall cause to be established a board, to consist of two or more medical officers at each post or general hospital, for the examination of all soldiers who may be considered fit subjects for furlough or discharge.

2. That in the absence of any regularly appointed officer the senior surgeon of the post or general hospital will act as commandant of the post.

3. That a certificate of disability, with a recommendation for furlough, signed in due form by the examining board and approved by the senior surgeon of the post, shall entitle the soldier to a furlough, to be granted by the commandant of the post.

4. That a certificate of disability, with a recommendation for discharge, signed in due form by the Examining Board and approved by the senior surgeon of the post, shall, if the soldier is declared to be unfit for service in the field, or in any department of the Government, entitle him to his discharge, which will be signed by the commandant of the post; and in all cases where the descriptive list and final papers cannot be obtained the patient will be mustered for payment upon hospital rolls by the surgeon in charge, or his affidavit that he has not received pay for the period for which he claims it to be due, and that he is not indebted to the Confederate States Government beyond the amount stated by him.

V. In all cases of application for furlough or discharge under the foregoing paragraph the applicant will be required to explain satisfactorily his absence from the regiment, battalion, or squadron to which he belongs.

VI. Due notice of all furloughs and discharges granted under this order will be forwarded through department commanders to the Adjutant and Inspector General.

By order:

S. COOPER,
Adjutant and Inspector General.

CHATTANOOGA, TENN., *September 29, 1862.*

His Excellency JEFFERSON DAVIS:

Any relaxation in enforcing conscript law in Tennessee will be unpolitic. No new companies should be received until old regiments are filled.

ISHAM G. HARRIS.

RICHMOND, VA., *September 30, 1862.*

Governor I. G. HARRIS,
Chattanooga, Tenn.:

I concur with you as to the paramount importance of filling up the old regiments. Cannot you give General Whitthorne 2,000 recruits and dispatch him to Virginia? The gallant Tennesseeans here are greatly reduced in numbers.

JEFFERSON DAVIS.

PARIS, *September 30, 1862.*

Hon. J. P. BENJAMIN,
Department of State, Richmond,
Confederate States of America:

SIR: In my dispatch, No. 1, dated July 30, at Vichy, and transmitted through Mr. Walker Fearn, I had the honor of submitting to the Department a hurried sketch of the position and prospects of our affairs abroad. Imperfect as it was, the rapid tide of events at home and abroad have since drifted us so far away from those landmarks that I deem it unnecessary to recapitulate, and now propose to exhibit the actual position in which we find ourselves to-day on the stage of European politics. It is also my duty to submit to the consideration of the proper departments several proposals of a public character

which have been made to me, as confidential agent, by responsible parties here, and which may possibly seem worthy of the serious consideration of our Government. And firstly, as regards our present prospects of formal recognition. When my last dispatch was written there was good reason to believe that France, or its ruler, had not yet positively decided upon the line of conduct to be pursued, and the temptation to act independently of England was very great, from motives both of policy and pride. While England promptly and positively refused recognition in response to Mr. Mason's formal demand, the simultaneous movement of Mr. Slidell here did not meet with a similar reception from the French Government, and officially the same suspension of judgment has been kept up to this day. No formal announcement of the refusal of France to recognize the Confederate States has ever appeared in the official or semi-official journals here, which contrasts strongly with the action of England, nor (as far as my information goes) has any such formal answer been given to Mr. Slidell. The tide which was setting in so strongly toward our recognition when my last communication was made was turned by the frantic folly of Garibaldi in Italy, which created a serious crisis in Europe and rendered it evident that France could not and would not act alone on the American question while so grave a complication continued. That complication is far from having ceased with the capture of Garibaldi, sustained, as he is, in his prison by the active sympathy of England and of the revolutionary party in France. On the contrary, it daily becomes more grave, and has forced out an unwilling utterance from the Emperor himself on the Italian question, in the publication of his instructions to his minister of state, and the subsequent correspondence resulting therefrom in May and June last. Inclosed I send you that correspondence as published in The Moniteur.* Opposed, therefore, as he is, to the policy of Victor Emmanuel, sustained by England and the Liberal party on the Continent, as well as to the policy of the Parti Piete, who clamor for the restitution of the whole patrimony of St. Peter to the hands of the Pope, and to the Red Republicans, who raise the cry of "Rome or death," the rôle of the Emperor is most delicate and difficult at this moment.

It was a knowledge of these facts, and the assurance of those very near him at Vichy that his mind was entirely preoccupied with the new and alarming question which had arisen, which induced me to withdraw from his secretary my proposal for an audience on the plea of sudden and pressing business at Paris. As such an interview would only have been a ceremonial one and without results, I deemed it best to keep that pleasure in reserve. That the Emperor himself is friendly to us and our cause there can be no doubt. That he regrets having been overpersuaded by the Russell-Palmerston Cabinet into recognition of the Yankee blockade when it was only a paper one is equally certain, for he says so himself, and he has recently declared in private conversations with members of the British Parliament that England has kept and continues to keep him back from a formal recognition of the Confederate States. His Cabinet concur with him in opinion, but differ as to joint or separate action. Mr. Thouvenel rigidly adheres to the English alliance and is less friendly than Messrs. Morny and Persigny, who carry the large majority of the Cabinet with them.

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*Not found.

Finding that nothing could be effected for the moment in the field of diplomacy, and that the Emperor was most cautious in moving with public opinion, instead of striding in advance of it, as is generally supposed, I left Vichy and immediately turned my attention to the manufacture and improvement of that article through the agency of the press, still a great power in France. Very erroneous ideas prevail as to the actual restrictions on the liberty of speech and writing here. With the exception of criticising the royal person or reviving dynastic differences, great license of political discussion and of criticising the imperial policy is accorded to the French press, and the *polémiques* of the different journals are most eagerly and widely read in the cafés and restaurants, where much of Parisian life is passed. I found both our friends and foes in the French press lamentably ignorant and terribly prejudiced as to the real merits of the question and as to the actual condition of the two parties to the struggle. To my surprise, the slavery question, which has been dropped in England, was made the great bugbear in France, and those who professed to be our advocates were pleading pitifully an extenuation of our sins in this respect and shuddering at the epithet *esclavagiste*, with which the paid partisans of the North are pelting them. Strange as it may seem, there is really more feeling for the black on this side of the channel than on the other, as the sentimental side of the French character has been enlisted in the supposed sufferings of this race. The North, from the commencement of the struggle, has spent money very freely in the manufacture of foreign opinion, especially in Paris and Brussels, where very high sums have been paid, and to counteract these influences I have been compelled to use extraordinary exertions and extraordinary means, which I am happy to say have wrought very great results in the past two months, as the changed tone of the French press on both sides abundantly testifies. Without descending too much into particulars, it is only necessary to say that the Southern cause is now ardently and efficiently supported by all the semi-official journals in Paris and the provinces, a large network covering France by some of the clerical journals before hostile to us, by the organs of the manufacturers and industrial classes at Lyons, Bordeaux, Havre, Rouen, &c., and at the same time the fire of opposition has slackened, and from an offensive they have been driven into a defensive attitude.

To correct the numerous misrepresentations current abroad, and especially to throw light on the actual position *vis a vis* to our slave population, early in August I published a French brochure "La vérité sur des Etats Confédérés" under my own name (copy of which is sent you), and that has served as a brief for our friends who have made liberal use of the facts and statements it contains. The portrait of President Davis, which was prepared expressly for this publication, has also greatly contributed to give it wide circulation, and his countenance has been a good letter of recommendation for our cause with those who care nothing for its principles. You will observe that the ground is boldly taken in that publication that the South is able to vindicate her own independence without foreign assistance, and is rapidly doing so; that her resources are ample for her needs; that she has nothing to apologize for in her "peculiar institution," but has ever been the best friend of the black race; that the question of slavery really is not at the bottom of this quarrel, and that the negroes at the South sympathize with their Southern friends and hate and distrust the Yankees, as they have good right to do. These, to them,

novel ideas have been taken up and re-echoed by the French press in every variety of shape and language, and have put the question in an entirely new aspect. It has been necessary to employ a corps of writers to keep the subject before the public, as amateurs cannot be relied upon for other than occasional labors, and I have secured some very efficient ones. The South owes much to the writers who have labored so diligently on the French and English press since the commencement of the struggle without reward, or even recognition of their services. Several of these I have found still pursuing their thankless task under great disadvantages, and I think it due to them that their names should be given to the Department. They have borne the heat and burden of the day, and fitting acknowledgment of their labors should be made when their work is done and the battle won. In this connection I would particularize Pecquet de Bellet and Edward Gaulhac, of New Orleans, and Charles Girard, formerly secretary of the Smithsonian Institution; and in London, George McHenry, formerly of Philadelphia, whose contributions to the London journals have been of immense value to the cause, and the more so from the fact of his coming from a Northern city. Of Mr. Hotze's untiring industry and energy I have spoken in my former dispatch.

By a perusal of the files of English papers sent you you will see why my labors have been confined to France. The real merits of the question and the relative position of the belligerents are as well understood at London as at Richmond, and there is no point on which we can give them any information, except the few matters of detail touched on in my letter to the English press, copy of which has already been forwarded. The Times, the Post, the Herald, organs of the two great political parties and of the public at large, have dedicated much of their space and many of their leaders to an exposure of the false pretenses and fabulous narratives of "strategic movements" backward, claimed as victories, until the very name of Yankee stinks in the nostrils of the English people. By request of Mr. Thackeray I have prepared a narrative of our own personal experiences in breaking the blockade, which has afforded an opportunity for a political disquisition on the position of the Yankee marine toward the British. This will appear in the October number of the Cornhill Magazine. A sketch, partly biographical and partly political, giving some incidents of the life and career of President Davis, appeared in the September number of the Blackwood's Magazine. All these publications tend to concentrate public attention on the men of our revolution.

The recent exploits of Stonewall Jackson and General Lee have made their names historic here and given additional luster to our military renown. With the tide of public opinion running so strong in England that even Lord Shaftesbury and Exeter Hall now abandon their Yankee sympathies as untrue, even to their avowed Abolition proclivities; with but two presses in London in favor of the Yankees, viz, the News and Daily Star, both uninfluential papers; with the strong pressure put upon them by the Emperor, it may be asked why the British Cabinet delay recognition? As far as we can judge they act from mixed motives. They believe that recognition of the South would lead to war with the North, and consider the Yankee marine a standing menace to their commerce, which would afford rich spoils to those enemies of the human race. Moreover, the cotton famine, strange as it may seem, pays the manufacturers handsomely,

as recent statistics prove, the glut of the manufactured article and consequent depreciation of price having alone been prevented by our civil war and the stoppage of supply. Hence the ardor of Mr. Bright and the Manchester men in the cause of non-intervention in our quarrel. Add to this the enormous cost of a war with an adversary so utterly reckless, desperate, and unscrupulous as the North now is, and the "masterly inactivity" of England (as plagiarizing from Mr. Calhoun they now term their policy) can be easily understood, if it cannot be justified by the principles of the law of nations and the impulses of humanity.

Europe professes to be sickened by the sight of useless slaughter across the Atlantic, but upraises no voice and lifts no finger to arrest it. Our sole reliance must be upon God and ourselves; and happy am I to know that such, too, has become the rooted sentiment of our people, upon whose heroic efforts and sufferings all Europe now looks with wondering admiration. I believe our recognition to depend more on the events now transpiring in Maryland than on any other earthly cause. As upon this side we can only hope to reap the fruits which the sweat and blood of our brave brethren have been poured out to produce for the weary months which have passed since the tide of Yankee success has ebbed away from Southern soil, it may be necessary to add that the recognition talked of by the British and French Governments, and which our continued success will hasten, does not formally involve mediation or intervention, but is supposed to lead to both, since the North has always announced her intention to regard it as a *casus belli*. The other European powers seem determined to await the action of those already named, but are generally sympathetic with us, with the exception of Germany, which is stupidly and obstinately hostile, and which has actually furnished food for powder in pretended emigrants via Hamburg. The same game has been played to some extent in Ireland also, but thus far to no very great extent. Spain is friendly to us; so is Austria; Italy too busy with her own affairs to take much heed of other quarrels, but Garibaldi has thrown the little weight his tragical folly has left him into the Yankee scale in a correspondence with the Yankee consul at Vienna. The general commentary upon this demonstration has been pithily summed up by an English writer, who says, "It is a pity that a great patriot should also be a great fool, combining the heart of a lion and the head of an ass."

Of the feeling or policy of Russia we know nothing, but its affinities are supposed to be Northern, that the maritime supremacy of England and France may have a rival and probable ally of Russia hereafter. There are, however, two disturbing causes to the long patience of France—one is the breach daily widening between the Continental policy of England and her own, especially in Italy; the other is the pressure put upon the Government by the industrial class, whose sufferings have been and continue to be great; and the French ouvriers will not suffer like dumb cattle, as their British brethren seem disposed to do. From the consuls-general of several of the departments have been sent up to the Government, and published in the journals, petitions to the Emperor for relief, blended with complaints that the cause should be permitted to continue, and warning the Government against the possible consequences of an increase of these evils and that suffering. At Rouen, Lyons, and in the north generally both public and private charity on the largest scale have been ineffectually resorted to to relieve the distress, and

immense public ateliers have been established to keep the workmen tranquil. With every day the evil rises, like the steady swell of the tide, and gives greater inquietude to the Government. As a specimen of the tone and temper of the departments you will find inclosed (marked A*) the proceedings of the Council of the Rhone, one of the largest and most important. In 1860 and 1861 the quantity of cotton consumed in France amounted to about 123,725,000 kilograms. From the 1st of January to the 1st of July of the present year it has reached only 11,952,000 kilograms; that is, 17 per cent. only of the previous quantity. Thus in this immense industry and its tributary branches we will have a reduction in the enormous proportion of 83 per cent. From the most reliable sources I gather the fact that there are from 130,000 to 150,000 workmen directly employed in making cotton thread and other fabrics, and of persons indirectly connected with the same industry about 1,350,000, making an aggregate of 1,500,000 souls dependent entirely upon the cotton supply. The consequences of this mass of destitution thrown upon the community, and the paralysis of other branches of industry arising from the war and the shutting up of our markets to it, is needless to dwell upon. Hence the pressure upon the French Government is very severe; nor will the state of finances permit so long sustained a pressure as England is able safely to endure.

The grain crops and the vines in France, which failed last year in an average crop, have gone much beyond the average this year, and consequently the large supply of Northern grain which found its market here last year, via England, at high rates, will not be needed this year. Although this diminishes the pressure on the finances of France, it diminishes in a still greater degree the available resources of the Northern States of America, whose market here will be curtailed by it. It is supposed that the Emperor, in view of the eventualities pointed out, has sent to Mexico a force more than adequate to settle that question, as upward of 40,000 men independent of the naval force have been dispatched, the chief command having been given to General Forey, who enjoys the full confidence of the Emperor. The intrigues of Corwin and the Washington Government in Mexico are well known and properly appreciated here, my first act on landing at Southampton on the 29th of June last being the transmission of a dispatch by telegraph to Mr. Eustis here detailing them, as gathered by me at Havana. That telegram has never reached Mr. Eustis to this day, and had greater credence, from being private. It evidently reached the hands for which it was intended and produced its effect. If, therefore, the entente cordiale should be broken, or the crisis become too severe in the manufacturing districts, the Emperor has prepared for the active interposition which alone would be effectual.

At the risk of becoming prolix I have endeavored to give you an accurate idea of the real attitude of Europe toward us, as far as we know the purposes and plans of its rulers. I may add that the very serious differences between the King of Prussia and his Parliament do not tend to reassure us as to the continued tranquillity of Europe, which seems now in a condition very similar to that which preceded the convulsions of 1848.

In my previous dispatch I alluded to propositions made by leading bankers here in relation to a loan based on cotton, on the sale of cotton here. One of these (marked B*) is herewith inclosed. It is made

* Not found.

by a near relative of Mr. Fould, and if you think it desirable to enter into any arrangements and will give me your specific instructions the matter can be easily arranged. The establishment of credit here would save the Government from great embarrassment and the enormous loss on exchange which it now suffers, as well as relieve the agents abroad from the difficulties of which they complain. I have been requested by Messrs C. Girard & Co., who are making Le Mat's revolvers for the Government under contracts with the Navy and Army Departments with Colonel Le Mat, a partner in the factory, to forward their correspondence with the agents of those departments in Europe, and to request that effectual steps may be taken to fulfill the Government obligations in that respect. They complain of the loss of both time and money in consequence of the failure of Captain Huse to co-operate with them or carry out his instructions in spirit as well as in letter. I submit this matter without any expression of opinion to the proper departments, with a repetition of my suggestion that additional agents supplied with funds should be sent abroad for the purchase of arms, medicines, and other necessaries. I am happy to add that private enterprise is essaying new modes of supplying our wants in the way of new and swift steamers to run the blockade, hitherto too much of a monopoly in particular hands. A regard for private interests prevents my being more specific on this point; but this new enterprise is sure to be of great benefit to us, and should secure Government support if such be demanded. By another opportunity I may refer more particularly to this point. The proposals for ships come from the greatest shipbuilders in France, who have the patent for the "Frégates blindées." I send them to the Navy Department and invoke the attention of the President and yourself to them. With reference to my own personal labors, I have only to say that I am making the best possible use of the resources available, but could greatly and advantageously extend the field of operations were those resources increased. If the struggle be protracted beyond the termination of this year I shall need fresh supplies.

Very respectfully,

EDWIN DE LEON.

The publication of your letter to Mr. Baylor, with appropriate comments relative to the stoppage of the cotton supply, has been attended to and has produced a strong impression here. Allow me to call your attention to the necessity of organizing a corps of messengers, coming and going at least once a month to and from the Confederate States. We have received no dispatches from you for months past. Private hands are not to be relied upon. I send this by a special messenger employed by myself.

GENERAL ORDERS, No. 73.

ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, October 1, 1862.*

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II. Generals commanding will authorize their medical purveyors to impress all medical supplies held by speculators, paying them the cost price for the articles. The generals will give the purveyors the necessary aid to carry this order into effect.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, October 1, 1862.

Maj. CALEB HUSE,
C. S. Agent, London, England:

SIR: You are respectfully informed that the Department has made a contract with Messrs. Chamberlain & Co. to furnish supplies for the Quartermaster's, Ordnance, and Medical Bureaus. The prices are to be fixed by reference to the invoices, which are to be verified by you on actual inspection of the articles made in person or by your agents. The invoices must be indorsed by you, stating that the prices are the usual wholesale prices of the articles in the chief marts, and that the articles themselves are merchantable. This latter provision is not intended as an assumption of the risk of damage, the contractors being bound to deliver them in a Confederate port in good order.

Your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

GENERAL ORDERS, No. 74. } ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, October 2, 1862.

I. The execution of the act approved April 16, 1862, commonly called the Conscription Act, and of all the amendments thereto, is suspended, by direction of the President, in the States of Kentucky and Missouri. Troops from those States will, until further orders, be received into the Confederate service under the acts passed by the Confederate Congress prior to the passage of the act above referred to, the execution of which is hereby suspended.

II. The attention of officers and all others concerned is called to the fact that General Orders, No. 72, published incorrectly in the Richmond Enquirer of September 30, and the Richmond Whig of October 1 and 2, was published correctly on the 1st instant and thereafter in the Enquirer, and on the 3d instant and thereafter in the Whig.

III. All furloughed, sick, and wounded soldiers will have transportation furnished them to their homes and back where their furloughs are of sufficient length to warrant it.

By order:

S. COOPER,
Adjutant and Inspector General.

RICHMOND, *October 2, 1862.*

His Excellency Governor SHORTER,
Montgomery, Ala.:

Major Gaines telegraphs that many parties have withdrawn their negroes from the Alabama and Mississippi Railroad and refuse to return them, that every effort to hire has proved unsuccessful, and that the work will be retarded for months, when with an efficient force it could be finished by the 1st of November.

This work is of great importance and I must beg that you will use your influence with the planters to procure labor. Delay may bring disaster to themselves. Can you not appeal to them by proclamation?

G. W. RANDOLPH,
Secretary of War.

EXECUTIVE DEPARTMENT,
October 2, 1862.

GENTLEMEN OF THE SENATE AND HOUSE OF DELEGATES:

I herewith transmit a communication from the adjutant-general on a subject of interest and importance, and commend it to your consideration and such action as you may deem advisable. I again respectfully renew the recommendation contained in my message at the opening of this session, in regard to officers of the militia who are disloyal or refuse to obey the orders of the Executive. In that portion of Western and Northwestern Virginia which has been overrun by the public enemy we have very few militia officers who can be relied upon to execute the orders of the Executive. Under existing laws we have no means of reaching such officers, except through the agency of courts-martial, and these cannot be held in that section of the State. It is of the first importance, therefore, that some legislation shall be had upon this subject before your adjournment.

Respectfully,

JOHN LETCHER.

[Inclosure.]

ADJUTANT-GENERAL'S OFFICE,
September 30, 1862.

His Excellency JOHN LETCHER,
Governor of Virginia:

SIR: Permit me to suggest for your consideration the expediency under existing circumstances of extending the provisions of the act of March 7, 1862, in regard to the second-class militia over the whole State, and a thorough organization of that class for home service during the continuance of the war; also a re-examination of all men who were exempted by the local boards. In many cases physical disability (which then existed) exists no longer, yet many able-bodied men shelter themselves under the exemption. In addition, to constitute a board consisting of three justices for each regiment with authority to assess and cause the militia fines to be promptly collected, suspending for a time the sections of the 31st chapter of the Code of 1860, relating to regimental and battalion courts of inquiry, which are now practically inoperative.

Very respectfully, your obedient servant,

WM. H. RICHARDSON,
Adjutant-General.

RICHMOND, VA., *October 3, 1862.*

The SENATE:

I herewith transmit for your information a communication from the Secretary of War in response to your resolution of the 26th ultimo, in reference to "the construction of a certain line of railroad in the States of Louisiana and Texas."

JEFFERSON DAVIS.

[Inclosure.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., October 2, 1862.

His Excellency the PRESIDENT:

SIR: I have the honor to acknowledge the receipt of the following resolution adopted by the Senate on the 26th ultimo:

Resolved, That the President be requested to inform the Senate whether the appropriation made by the act entitled "An act to aid in the construction of a

certain line of railroad in the States of Louisiana and Texas," approved 19th April, 1862, has been in whole or in part used for the purpose contemplated by the act, or if any contract or engagement has been made by him in relation to the said appropriation or any part of it.

An agent was appointed under the act to ascertain and report upon the best mode of carrying it into effect. He reported that in consequence of the fall of New Orleans he thought it impracticable to construct the road, and nothing further was done.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

CONFEDERATE STATES OF AMERICA,
QUARTERMASTER-GENERAL'S DEPARTMENT,
Richmond, October 3, 1862.

Hon. W. P. CHILTON,
Chairman, &c.:

SIR: I have the honor to submit to you and to the committee of which you are chairman my views in regard to the transportation of troops, military stores, &c., over the various railroads in the Confederacy. I am opposed to taking military possession of the roads and submit the following reasons therefor: Should the Government do this I feel assured that the officers and employés of said roads would promptly resign rather than be subject to the orders of officers of the Army of every grade, wholly ignorant of railroads and their management. This would throw into confusion our means of communication throughout the Confederacy. Greater expense would be incurred in operating the roads, the new officers being ignorant of the most economical and available sources of labor and supplies of material. The work done would also be done in a manner less secure and durable than when under the supervision of those permanently connected with the road. There would be great difficulty in keeping the accounts for private freight and passengers distinct from that of the Government, for citizens as well as troops must be transported and supplied, the Government meanwhile coming under heavy pecuniary responsibilities to the stockholders, whose trustee it has assumed to become. Should a period of great emergency arise, confusion, delay, and irreparable disaster might be produced by the change from experienced to new operators on the many roads.

As to the best mode of securing the rapid and safe transportation of troops and military supplies of all kinds, the following suggestions are made: The appointment of an able, methodical, and energetic person as chief of transportation, to have entire control over and power to regulate all matters pertaining to transportation, to make all necessary rules and regulations, and after conference or correspondence with the several railroad presidents and superintendents, to bring into harmonious action the different roads in the Confederacy; all officers of the Army, of whatever grade, to be ordered not to interfere with the management of roads or running of trains, and to be governed by the rules and regulations of the chief of transportation as agreed upon with the railroad companies; all complaints against railroads to be made to and settled by him under the direction of the Quartermaster-General; when cars are taken beyond the roads to which they belong the Government officers should see that they are

not used for store-houses; that the roads using them be charged for their use, and that they are promptly returned, for from these causes arise three-fourths of the difficulties in transportation. It is also suggested that the right of seizing for the use of the Government certain articles of absolute necessity, such as cloth, leather, &c., be granted when parties holding the articles will not sell them to the Government, or ask extortionate prices, the impressment to be made in conformity with the act of Congress on the subject. It does not occur to me that any further legislation is required to promote the efficiency of the Quartermaster's Department. Existing laws and orders are amply sufficient if officers do their duty. The prospect of clothing the Army from the resources of the Confederacy is very good. Wool is coming in in abundance from Texas to be manufactured into cloth in Virginia, Georgia, North Carolina, Alabama, &c. The propriety of allowing leather and wool and manufactured clothing suitable for the Army to be brought into the Confederacy free of duty is respectfully submitted. Any questions the committee may desire to have answered the undersigned begs it will present.

Very respectfully,

A. C. MYERS,
Quartermaster-General.

WAR DEPARTMENT,
Richmond, Va., October 4, 1862.

His Excellency JEFFERSON DAVIS,
President Confederate States of America:

SIR: I deem it my duty to call your attention before the adjournment of Congress to the want of power in the Executive to make appointments when neither election nor promotion secures competent officers to fill vacancies, and to consolidate companies and regiments reduced by casualties of service below the numbers necessary for efficiency. The absence of this power is a defect in the organization of our service so great that it must ultimately cause disaster if not ruin.

The present condition of the Army of Northern Virginia imperatively requires its exercise, and the experience of the commanding general of that army has been unable to devise any expedient by which he may avoid the alternative of violating law or of exposing his army to ruin.

The senior general of our armies, whose opinion is entitled to great respect from his familiar acquaintance with the military organizations of this continent during the last forty-five years, fully concurs with the Department as to the indispensable necessity of the proposed power.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

[OCTOBER 5, 1862.—For Milton to Randolph, in regard to the enforcement of the conscript act in Florida, &c., see Series I, Vol. LIII, p. 258.]

SPECIAL ORDERS, No. 234. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, October 7, 1862.*

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XXII. After date no application will be received for examination by the board of officers appointed under General Orders, No. 68, current series, for appointment of officers for artillery to be assigned to ordnance duty, except from officers and privates now in service, or from officers and privates now out of service by reason of wounds received in battle.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

EXECUTIVE OFFICE,
Richmond, October 8, 1862.

The SENATE AND HOUSE OF REPRESENTATIVES OF THE CONFEDERATE STATES OF AMERICA:

The near approach of the day fixed for your adjournment induces me to renew certain recommendations made at the commencement of the session, and for which legislation has not yet provided. The subject of the efficiency of the Army is one of paramount importance, and the letter of the Secretary of War herewith submitted has been elicited by correspondence with the generals of our armies in the field, whose practical experience of the evils resulting from the defects in our present system entitles their opinion to great weight.*

An army without discipline and instruction cannot be relied on for purposes of defense, still less for operations in an enemy's country. It is in vain to add men and munitions, unless we can at the same time give to the aggregated mass the character and capacity of soldiers. The discipline and instruction required for its efficiency cannot be imparted without competent officers. No power now exists by law for securing such officers to fill vacancies when elections and promotions fail to accomplish the object.

Extreme cases ought not to furnish a rule, yet some provision should be made to meet evils, even exceptional, in a matter so vitally affecting the safety of our troops. Tender consideration for worthless and incompetent officers is but another name for cruelty toward the brave men who fall sacrifices to these defects of their leaders. It is not difficult to devise a proper mode of obviating this evil. The law authorizes the refusal to promote officers who are found incompetent to fill vacancies, and the promotion of their juniors in their stead; but instances occur in which no officer remaining in a regiment is fit to be promoted to the grade of colonel, and no officer remaining in a company is competent to command it as captain. Legislation providing for the selection in such cases of competent officers from other regiments of the same State affords a ready remedy for this evil, as well as for the case when officers elected are found unfit for the positions to which they may be chosen. This selection can be made in such manner as may seem to Congress most advisable; but this or some other remedy is indispensable for filling numerous vacancies now existing.

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*See October 4, p. 109.

While this deficiency of competent officers exists in some cases, there is a large excess in others. Numerous regiments and companies have been so reduced by the casualties of war, by sickness, and other causes as to be comparatively useless under the present organization. There are companies in the Army in which the number of officers exceeds that of privates present for duty, and regiments in which the number of such privates does not exceed that which is required for a single effective company. The cost of supporting the Army, already a very heavy burden on the resources of the country, is thus increased to an extravagant extent. But this is of secondary importance compared with the inefficiency which results from this condition of things. Some legislation which shall provide for the consolidation of companies and regiments when thus reduced in numbers, and where conscripts cannot be obtained from a State in sufficient numbers for filling the ranks, is of pressing necessity, and a deep sense of duty impels me to repeat that no consideration for the officers who may be unfortunately deprived of commands ought or can safely be permitted to obstruct this salutary reform.

It may be proper to remark that the necessity for this consolidation and the consequent discharging of tried and meritorious officers will obviously be increased by all legislative action permitting new organizations to be formed of men who, by the provisions of the conscript law, were directed to be incorporated into existing companies and regiments.

JEFFERSON DAVIS.

AN ACT to encourage the manufacture of clothing and shoes for the Army.

The Congress of the Confederate States of America do enact, That the President is hereby authorized to import, duty free, cards or card cloth, or any machinery or materials necessary for increasing the manufacture of clothing for the Army, or any articles necessary for supplying the deficiency of clothing or shoes, or materials for shoes, for the Army.

SEC. 2. *Be it further enacted*, That any machinery, or parts of machinery or materials imported as aforesaid, may be worked on Government account, or leased or sold, at the discretion of the President.

SEC. 3. *Be it further enacted*, That the President may extend the privileges of this act to companies or individuals, subject to such regulations as he may prescribe.

SEC. 4. That the clothing required to be furnished to the troops of the Provisional Army under any existing law may be of such kind, as to color and quality, as it may be practicable to obtain, any law to the contrary notwithstanding.

Approved October 8, 1862.

AN ACT to refund to the State of Louisiana the excess of the war tax overpaid by her.

The Congress of the Confederate States of America do enact, That the sum of seventy thousand dollars be and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid to the State of Louisiana, the same being the estimated excess of the war tax overpaid by her; the said payment to be made

to the Governor of the State of Louisiana or his authorized agent, subject to a final adjustment whenever the assessments and returns of the war tax for said State shall be completed.

Approved October 8, 1862.

AN ACT to repay to the State of North Carolina the excess over her quota paid by her into the Treasury of the Confederate States on account of the war tax.

The Congress of the Confederate States of America do enact, That the sum of one hundred and eleven thousand one hundred and seventy-four dollars and sixty-nine cents be paid to the State of North Carolina, out of any moneys in the Treasury not otherwise appropriated, the same being the excess over her quota paid by her into the Treasury of the Confederate States on account of the war tax.

Approved October 8, 1862.

AN ACT making appropriations for the executive, legislative, and judicial expenses of the Government for the month of December, 1862.

The Congress of the Confederate States of America do enact, That the following sums be and the same are hereby appropriated for the objects hereafter expressed for the year ending the thirty-first of December, eighteen hundred and sixty-two:

* * * * * * *

For the pay of officers and privates of the Army, volunteers and militia, and for quartermaster's supplies of all kinds, transportation, and other necessary expenses, fifteen million six hundred and thirty-eight thousand and forty-nine dollars.

For support of prisoners of war and for rent of necessary guard-houses, &c., two hundred thousand dollars.

For bounty, fifty dollars to each non-commissioned officer, musician, and private in the service for three years, three million dollars.

For purchase of subsistence stores and commissary property, twenty-two million five hundred and ninety-eight thousand forty-one dollars and thirty-six cents.

For the ordnance service in all its branches, two million two hundred thousand dollars.

For the engineer service, two hundred thousand dollars.

For medical and hospital supplies, four hundred thousand dollars.

For pay of nurses, cooks other than enlisted men or volunteers, forty-eight thousand dollars.

For services of physicians to be employed in conjunction with the medical staff of the Army, thirty thousand dollars.

For the establishment and support of military hospitals, fifty-nine thousand five hundred dollars.

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For ordnance service in all its branches, including the purchase of ordnance and ordnance stores imported, four million dollars.

* * * * * * *

To supply the deficiencies in the engineer appropriations for engineering purposes, eight hundred thousand dollars.

To pay claims upon the Confederate Government for vessels seized by the naval and military authorities for the use of the Government, ten thousand two hundred and thirty-seven dollars and fifty cents.

For the purchase of flour for the Confederate States Army, six million eight hundred and twenty-three thousand eight hundred dollars.

The Secretary of the Treasury is hereby authorized, from any moneys in the Treasury not otherwise appropriated, to take up and redeem such Treasury notes as may from time to time be called in for the purpose of being canceled, and in place of such Treasury notes so canceled other Treasury notes to the same amount may be issued.

Approved October 9, 1862.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, October 9, 1862.

His Excellency JEFFERSON DAVIS,
President Confederate States of America:

SIR: I find it impossible, in the limited time before the adjournment of Congress, to make the inquiries necessary to enable me to recommend suitable persons to fill the offices created during the present session of Congress. Army corps must be organized before lieutenant-generals and members of the courts of commission can be appointed.

Officers of ordnance cannot be selected without an examination of the applicants, nor officers of the Signal Corps without careful inquiry.

A vacancy in the office of Assistant Secretary of War occurred on the 1st instant, and owing to the press of business I have found it impossible to select a person qualified to fill the office.

Many vacancies have no doubt occurred in the Army which are not yet reported. As no power exists to make appointments or to fill vacancies in the recess for offices created or vacancies occurring during the session of Congress, I recommend that application be made to Congress for the passage of an act authorizing such appointments.

In reference to vacancies, it might be limited to those occurring within fifteen days of the adjournment.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, N. C., October 9, 1862.

Hon. GEORGE W. RANDOLPH,
Secretary of War:

DEAR SIR: His Excellency Governor Vance has frequent applications from citizens residing in counties of this State within the lines of the enemy asking permission to raise companies of partisan rangers for local defense. The conscript law cannot be executed in those localities, and His Excellency thinks that the public service will be promoted by granting such applications, and he therefore respectfully suggests that you will commission such persons as he may recommend for that service.

Yours, very respectfully,

DAVID A. BARNES,
Aide to the Governor.

EXECUTIVE OFFICE,
Richmond, October 10, 1862.

THE SENATE AND HOUSE OF REPRESENTATIVES OF THE CONFEDERATE STATES OF AMERICA:

The importance, it might properly be said necessity, of a measure which has heretofore been recommended induces me at this time to renew the request for your attention to the want of some provision by which brigadier and major generals may be appointed when, by the casualties of service, commanders of brigades and divisions have become temporarily disabled.

Under the law as it now stands if a brigadier be wounded the command of the brigade devolves upon the senior colonel, who may or may not be competent for such command, but whose presence is required with his regiment, and most of all under the circumstances usually existing where casualties like that referred to occur.

To illustrate this necessity I will cite an instance of an army corps from which seven brigadiers are now absent, six of whom have been recently wounded. There is an obvious objection to multiplying the number of general officers, but it may be readily removed by providing for the subsequent reduction whenever there are supernumeraries present for duty; and I would suggest that the determination as to who should be discharged might be made to depend upon the inquiry and report of an army board, to be organized according to established law and usage.

JEFFERSON DAVIS.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, N. C., October 10, 1862.

HON. G. W. RANDOLPH,
Secretary of War:

DEAR SIR: Allow me to call your attention to the subject of disposing of conscripts in this State. When I entered upon the duties of my office I found the thing at quite a low ebb, few ever coming into camp, and Major Mallett found the greatest difficulty in hunting them up. I immediately took the matter into my own hands, issued a proclamation and orders to my militia officers, and procured General Martin to issue an order promising them all that they might choose their regiments if not already filled. The good effect of this was instantly manifest, the number coming in was trebled, and a cheerful spirit of alacrity prevailed everywhere. I mentioned the matter to the President in your presence and understood it to be approved by both; and yet on my return home I find Major Mallett has received orders to send all the conscripts to certain brigades without regard to their wishes or to the promises made them by a Confederate general. This has produced the greatest dissatisfaction, and rightly, too. What the particular exigencies of the service are I do not know. They must be great indeed to justify bad faith toward the soldiers on the part of the Government. If such is to be the policy, as I do not wish to become a party to such transactions, I shall countermand the orders issued to my militia officers and turn the whole over again to Major Mallett and leave him to hunt up the conscripts as best he can. Allow me to say generally that I think the Department commits a serious error in declining to receive the advice of anybody save the general in command of the department. With the

management of the Army proper I shall, of course, offer no advice, not pretending to be a military man; but in regard to such political movements as secure most effectually the support of the people in the execution of the conscript law, I do claim that I ought to be heard. In this respect I might safely assert of myself that which after all amounts to not much, that I know more than all the West Pointers in the service. And yet, so far as I am aware, no one suggestion of mine or recommendation has received the approval of the Department. So be it. Though the responsibility rests not with me, yet, as I and my State are to suffer any evil consequences that may follow, I feel it my duty to write you fully and frankly in regard to all matters affecting North Carolina.

I am, sir, most respectfully, your obedient servant,

Z. B. VANCE.

AN ACT supplemental to an act entitled "An act to authorize the Secretary of the Treasury to pay district collectors in certain cases," approved April 11th, 1862.

The Congress of the Confederate States of America do enact, That the Secretary of the Treasury be, and he is hereby authorized to pay the sum of four hundred dollars to the several district collectors of the war tax, authorized by the act entitled "An act to authorize the issue of Treasury notes and to provide a war tax for their redemption," approved August nineteenth, eighteen hundred and sixty-one, in those States which have assumed the payment of said tax: *Provided*, The Secretary of the Treasury shall be satisfied that all the duties which fairly devolved on said collectors by the law under which they were appointed have been faithfully performed by them: *And provided further*, That if said collectors have received compensation under the act to which this is supplemental, the sum so received shall be deducted from the amount specified in this act.

SEC. 2. The chief collectors shall receive a proportional amount of the salary fixed by law, for each quarter in which they shall be actually and in good faith engaged in the discharge of the duties of their office.

Approved October 11, 1862.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, October 11, 1862.

Brig. Gen. J. G. MARTIN,
Raleigh, N. C.:

SIR: In reply to your letter of the 5th instant* you are respectfully informed that it was deemed necessary, in order to insure uniformity in the execution of the law for the enrollment of conscripts, that it should be conducted under the control of the Department, and it was so ordered on the 28th of April last in General Orders, No. 30. Experience has confirmed the view then taken, and it has been found that to place the enrollment of conscripts under the control of the general commanding a department subjects it to change with every change of the department commander. General Lee's orders were not intended to conflict with the policy and express orders of the Department, but

* See Series I, Vol. XVIII, p. 752.

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merely to secure the valuable aid of the adjutant-general of the State in carrying that policy into effect. The only objection to the order you propose is that it conflicts with the conscript act in restricting the maximum of infantry companies to a smaller number than is allowed by that act. The right to volunteer before enrollment is reserved by law, and the order to Major Mallett only applies to enrolled men. Orders have been given for the immediate filling up of the Virginia and North Carolina regiments at Richmond, because the enemy are preparing to attack the city with a heavy force.

Your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

RICHMOND, *October 11, 1862.*

General BEAUREGARD,
Charleston, S. C.:

Take possession of the coin of the Bank of Louisiana in the hands of W. H. Young, president of the Bank of Columbus, Ga., and place it in the hands of John Boston, the depositary of the Government at Savannah.

A written order will be sent immediately, but don't wait for it.

G. W. RANDOLPH,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, October 11, 1862.

General R. E. LEE,
Commanding, &c.:

GENERAL: In reply to your letter of the 29th* ultimo I have the honor to say that the Executive has no power to make Confederate money a legal tender between individuals. Government supplies may be impressed and paid for in Treasury notes, and if individuals within the theater of your operations discredit the Government money they may be considered as hostile to the Confederacy, and may be arrested and removed from the vicinity of the army.

Your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

CHARLESTON, S. C., *October 12, 1862.*

Hon. G. W. RANDOLPH,
Secretary of War:

Order relative to Bank of Louisiana funds will be obeyed. Would it not be more prudent to send them to Augusta, Ga.?

G. T. BEAUREGARD,
General, Commanding.

[Indorsement.]

SECRETARY OF THE TREASURY:

See General Beauregard's suggestion. What do you think of it?

G. W. R.

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*Series I, Vol. XIX, Part II, p. 635.

OCTOBER 13, 1862.

The HOUSE OF REPRESENTATIVES OF THE CONFEDERATE STATES OF AMERICA:

I regret to find myself compelled to return, without my signature, an act which originated in your body entitled "An act to reorganize and promote the efficiency of the Medical Department of the Provisional Army." I entirely concur in the desire to accomplish the objects contemplated in the act, and have delayed its return in the hope that some additional legislation might obviate the difficulties that would embarrass the operation of the act in its present form.

The act seems to be based on the assumption that there exists a "Medical Department of the Provisional Army," and this fact is not only set forth in the title, but some of the provisions are so worded as to be inoperative by reason of this assumption. Thus the first section provides "that the rank, pay, and allowances of a brigadier-general in the Provisional Army of the Confederate States be, and the same are hereby, conferred on the Surgeon-General of the same." There exists no such officer as the Surgeon-General of the Provisional Army. The plain intent, therefore, of Congress to confer the rank of brigadier-general in the Provisional Army on the Surgeon-General of the permanent Army would be defeated unless the language of this section be changed.

According to the provisions of the law as it now stands there is a Medical Department organized for the permanent Army under the act of the 26th of February, 1861, entitled "An act for the establishment and organization of a general staff for the Army of the Confederate States of America," the chief of which is styled the Surgeon-General. The only legislation providing for medical officers for provisional troops is the ninth section of the act of 6th of March, 1861, which enacts that when volunteers or militia are called into the service of the Confederate States in such numbers that the "officers of the Medical Department, which may be authorized by law for the regular service, are not sufficient for * * * furnishing them with the requisite medical attendance, it shall be lawful for the President to appoint, with the advice and consent of the Congress, as many additional officers of the said Department as the service may require, not exceeding * * * one surgeon and one assistant surgeon for each regiment, * * * to continue in service only so long as their services may be required in connection with the militia or volunteers."

There is an act of 14th of August, 1861, on the same subject, but it confines the appointments authorized by it to such surgeons and assistant surgeons as may be necessary for the various hospitals.

The third and fourth sections of the act now returned to you permit and require the assignment of a number of surgeons and assistant surgeons to military departments, to divisions, to brigades, and to infantry and cavalry regiments largely in excess of the number allowed by the law just quoted, but no authority is given for the appointment of the increased number of medical officers, and it would be impracticable to execute the law unless by adopting the inadmissible construction that an authority to assign officers to duty implies an authority to appoint new officers. Such a construction would be the less justifiable in the present instance, because in the second section, in which new officers are authorized, the language of the act directs appointments to be made, but in the third and fourth sections the language is changed and assignments only are permitted.

There is another omission in the act which may give rise to pretensions prejudicial to the service. In declaring the rank to which the several medical officers shall be entitled in the Provisional Army, including those of brigadier-general, colonels, and lieutenant-colonels, no express exclusion is made of their right to command troops, as has wisely been done in the regular or permanent Army. The officers of the medical corps have long evinced the desire to have some right of command of troops in certain contingencies, and this command ought either to be expressly forbidden or the cases in which it may be exercised ought to be distinctly defined.

The chief objection to the bill, however, remains to be stated. The fifth section is designed to effect a most humane and desirable object, but its provisions are inadequate to the end proposed. The purpose of Congress is evidently to provide some additional means for the care of the sick and wounded of armies in the field. At present after each battle the wounded are necessarily left in such temporary quarters as can be procured in the vicinity, but on the movement of the army most of the medical officers attached to it are compelled to follow, and the wounded are thus left with medical aid and attendance entirely insufficient for their relief.

The fifth section of the act provides for an infirmary corps of fifty men for each brigade, officered with one first and one second lieutenant, two sergeants, and two corporals, but no provision whatever is made for any additional medical officers, nor does the act provide for any control by medical officers over these infirmary corps, nor assign to these corps any fixed duties. Unless some provision be made on these points the present deficiency of surgical aid will continue to exist, and the infirmary corps will necessarily follow the army to which they are attached when it moves after a battle, or, if left behind, will be subject to the orders only of their own officers, who are not medical men—or conflicts will arise between these officers and the medical officers.

Entertaining the conviction, therefore, that this act in its present form, while entailing heavy expense, will fail in the beneficial effects contemplated by Congress, I deem it my duty to return it, without my approval, but with the hope that some additional legislation may be devised to accomplish the purpose contemplated by its passage.

JEFFERSON DAVIS.

AN ACT to extend the term of office of certain war-tax collectors.

The Congress of the Confederate States of America do enact, That in those States wherein the chief collectors of the war tax have not been able to complete the duties of their office within the year for which they were appointed, the Secretary of the Treasury shall be authorized to extend the term of their offices, respectively, for such additional period as may be required to complete the said duties, and pay them for such additional term a proportional rate of the annual salary fixed by law.

Approved October 13, 1862.

AN ACT to punish and repress the importation, by our enemies, of notes purporting to be notes of the Treasury of the Confederate States.

Whereas, manifestly with the knowledge and connivance of the Federal Government, and for the purpose of destroying the credit and

circulation of the Treasury notes of this Government, immense amounts of spurious or counterfeit notes, purporting to be such Treasury notes, have been fabricated and advertised for sale in the enemy's country, and have been brought into these States and put in circulation by persons in the service of the enemy:

The Congress of the Confederate States [*of America*] *do enact*, [That] every person in the service of, or adhering to, the enemy, who shall pass or offer to pass any such spurious or counterfeit note or notes, as aforesaid, or shall sell or attempt to sell the same, or shall bring any such note or notes into the Confederate States, or shall have any such note or notes in his possession, with intent to pass or sell the same, shall, if captured, be put to death by hanging; and every commissioned officer of the enemy who shall permit any offense mentioned in this section to be committed by any person under his authority, shall be put to death by hanging. Every person charged with an offense punishable under this act shall be tried by a military court in such manner and under such regulations as the President shall prescribe; and, after conviction, the President may commute the punishment to imprisonment in such manner, and for such time, as he may deem proper, and may pardon the offender on such conditions as he may deem proper, or unconditionally.

Approved October 13, 1862.

AN ACT making appropriations for the support of the Government for the month of January, eighteen hundred and sixty-three, and for certain deficiencies and other purposes therein mentioned.

The Congress of the Confederate States of America do enact, That there be appropriated and paid out of any money in the Treasury not otherwise appropriated, the following sums of money and for the following purposes, viz:

For expenses of the month of January, eighteen hundred and sixty-three, in the War Department.—For compensation of the Secretary of War, Assistant Secretary of War, chief of bureau, clerks, messengers, etc., twelve thousand dollars.

For incidental and contingent expenses, seven thousand dollars.

Ordnance Bureau.—For ordnance service in all its branches, two million five hundred thousand dollars.

For the engineer service, five hundred thousand dollars.

For the purchase of iron and advances on contracts for same, five hundred thousand dollars.

For the purchase and manufacture of niter, two hundred and fifty thousand dollars.

Quartermaster's Department.—For the pay of the Army, eighteen million six hundred and sixty thousand one hundred and eighty-nine dollars.

For the transportation of troops and their baggage, of quartermaster's stores, subsistence, ordnance and ordnance stores from place of purchase to troops in the field, the purchase of horses, mules, wagons and harness, the purchase of lumber, nails, iron and steel, for erecting store-houses, quarters for troops and other repairs, hire of teamsters, laborers, etc., seven million four hundred and sixty-four thousand and seventy-five dollars.

For pay for horses of non-commissioned officers and privates killed in battle, under act number forty-eight, section seven, and for which provision is to be made, twenty-five thousand dollars.

For pay for property pressed into service of the Confederate States under appraisement, said property having been either lost or applied to the public service, thirty-seven thousand five hundred dollars.

For the subsistence of prisoners of war, under act number one hundred and eighty-one, section first, and the hire of the necessary prisons, guard-houses, etc., for the safe-keeping of the same, or so much thereof as may be necessary, two hundred thousand dollars.

For the bounty of fifty dollars to each non-commissioned officer, musician and private now in service for three years or for the war, to be paid at the expiration of the first year's service, on the basis that sixty thousand will have to be paid, three million dollars.

For the pay of officers on duty in the offices of the Adjutant and Inspector General's Department, the Quartermaster General's, Medical, Engineer, Ordnance and Subsistence Departments, sixty-four thousand six hundred and seventy dollars.

Medical Department.—For pay of private phyisicans employed by contract, from the first to the thirty-first of January, eighteen hundred and sixty-three, thirty thousand dollars.

For pay of nurses and cooks, not enlisted or volunteer, from the first to the thirty-first of January, eighteen hundred and sixty-three, forty-eight thousand dollars.

For pay of hospital stewards, from the first to the thirty-first January, eighteen hundred and sixty-three, twelve thousand dollars.

For pay of hospital laundresses, from the first to the thirty-first January, eighteen hundred and sixty-three, ten thousand dollars.

For medical and hospital supplies of the Army, from the first to the thirty-first January, eighteen hundred and sixty-three, four hundred thousand dollars.

For the establishment and support of military hospitals, from the first to the thirty-first January, eighteen hundred and sixty-three, thirty-seven thousand five hundred dollars.

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For deficiencies in the Quartermaster's Department for nine months to January first, eighteen hundred and sixty-three, thirty-nine million dollars.

For foreign intercourse, *i. e.*, salaries of commissioners and secretaries for three months from January first, eighteen hundred and sixty-three, twelve thousand dollars.

For medical and hospital supplies, to supply deficit in appropriation for the period extending from April first to December first, eighteen hundred and sixty-two, one million five hundred thousand dollars.

For pay of private physicians employed in conjunction with the medical staff of the Army, to supply deficit in the appropriation for the period extending from April first to December first, eighteen hundred and sixty-two, fifty thousand dollars.

To pay interest on five hundred thousand dollars borrowed by General Hindman from Branch Bank of Tennessee on the twenty-eighth May, eighteen hundred and sixty-two, and returned July seventeenth, eighteen hundred and sixty-two, four thousand one hundred and nine dollars.

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Commissary General's Department.—For the purchase of subsistence for the Army for the month of January, eighteen hundred and sixty-three, six million five hundred and seventy-one thousand six hundred and seventy-two dollars and ninety-one cents.

* * * * * * *

Approved October 13, 1862.

AN ACT authorizing the suspension of the writ of habeas corpus.

The Congress of the Confederate States of America do enact, That during the present invasion of the Confederate States, the President shall have power to suspend the privilege of the writ of habeas corpus in any city, town, or military district, whenever in his judgment the public safety may require it; but such suspension shall apply only to arrests made by the authorities of the Confederate Government, or for offenses against the same.

SEC. 2. The President shall cause proper officers to investigate the cases of all persons so arrested, in order that they may be discharged, if improperly detained, unless they can be speedily tried in due course of law.

SEC. 3. This act shall continue in force for thirty days after the next meeting of Congress, and no longer.

Approved October 13, 1862.

CONFEDERATE STATES OF AMERICA, TREASURY DEPT.,
Richmond, October 14, 1862.

Hon. G. W. RANDOLPH,
Secretary of War:

SIR: I have received the telegram sent by General Beauregard to you. I infer that General B. thinks that because the order has been given to transfer the money to John Boston, depositary at Savannah, that it is intended to remove the same to Savannah. Mr. Boston has been ordered to appoint W. H. Young, president of the Bank of Columbus, his agent to receive the same from the military authorities, and to hold it on deposit at Columbus. As Mr. Young is now in actual possession of the coin, the transfer will be merely formal, so as to divest the title of the Bank of Louisiana. If, however, it is the opinion of yourself or General Beauregard that the coin is not safe at Colun bus or that it had better be removed to Augusta, please let me know and I will give directions accordingly. General B.'s telegram is herewith returned.*

With much respect,

C. G. MEMMINGER,
Secretary of the Treasury.

RICHMOND, *October 14, 1862.*

General BEAUREGARD,
Charleston, S. C.:

President Young has been appointed a depositary by Mr. Boston. You may therefore leave the money in Young's hands upon his consenting to receipt for it as the depositary of the Treasury Department.

G. W. RANDOLPH,
Secretary of War.

CHARLESTON, S. C., *October 14, 1862.*

General S. COOPER,
Assistant Adjutant-General, &c., Richmond, Va.:

President Young refused to give up the coin; forcible possession taken; guard placed over it. Where shall it be sent? Enemy appears

*See Beauregard to Randolph, October 12, p. 116.

to be preparing for a movement near Port Royal Ferry. My forces there are very weak. Could they not be increased from sources beyond my reach?

G. T. BEAUREGARD.

SPECIAL ORDERS, No. 240. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, October 14, 1862.*

* * * * * * *

XXXIII. Generals commanding military districts in the Trans-Mississippi Department will afford all reasonable facilities for the introduction and transportation of niter and lead from Mexico, or through the Gulf ports. Upon requisition from officers of the Niter and Mining Bureau they are authorized and required to cause their several quartermasters to provide transportation for munitions so imported when in so doing the movement of troops and the transportation of their necessary supplies is not interfered with.

* * * * * * *

XXXVI. General G. T. Beauregard will detail an officer to seize the $2,539,798.79 in coin, the property of the Bank of Louisiana now deposited at Columbus, Ga., in the hands of W. H. Young, president of the Bank of Columbus, for safe-keeping, and deliver the same to John Boston, depositary of the Government at Savannah, Ga., or to any agent whom he may appoint to receive it.

* * * * * * *

By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, October 15, 1862.

Col. A. C. MYERS,
Quartermaster-General, Richmond:

SIR: The Secretary of War directs that you select some suitable officer of your department in this city to receive the sums paid in by members of the Dunkard Society to secure exemption from military service. This officer will perform this duty until further orders. This order will include also the members of the societies of Friends, Mennonites, and Nazarenes.

Very respectfully, &c.,

S. COOPER,
Adjutant and Inspector General.

RICHMOND, *October 15, 1862.*

General G. T. BEAUREGARD,
Charleston, S. C.:

The Secretary of the Treasury desires to have the coin turned over to T. S. Metcalf, the Government depositary at Augusta. You will dispose of it accordingly.

G. W. RANDOLPH,
Secretary of War.

COLUMBUS, GA., *October 16, 1862.*

MR. W. H. YOUNG,
President of Bank of Columbus, Ga.:

In accordance with an order from General Beauregard I beg leave to make this my formal and official demand upon you to deliver to me certain kegs and boxes of coin removed from the city of New Orleans and now in your custody in the vault of the Bank of Columbus. In case of your refusal to comply with this demand I shall feel it my duty to take forcible military possession of said coin to comply on my part with the aforesaid order from General Beauregard.

I have the honor to be, your obedient servant,

A. G. RICE,
Aide-de-Camp.

COLUMBUS, GA., *October 16, 1862.*

Received from W. H. Young, president of the Bank of Columbus, 57 kegs, said to contain $2,323,798.79 in gold coin, and 201 boxes and 3 kegs, said to contain $216,000 in silver coin. W. H. Young, as president and individually, disclaims all knowledge of the contents of said kegs and boxes, which were originally received from R. M. Davis, president of the Bank of Louisiana, and deposited in the vault of the Bank of Columbus, Ga.

A. G. RICE,
Aide-de-Camp.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., October 16, 1862.

His Excellency Governor LETCHER,
Richmond, Va.:

SIR: I have received from the adjutant-general of Virginia a copy of an order to the superintendent of the Military Institute at Lexington directing him "not to surrender any cadet who may be claimed as a conscript by the Confederate authority until the constitutionality of the act of Congress called the conscription law shall have been tested, the legislative will of the State ascertained, or until further orders."

Presuming that you desire to avoid collisions between the authorities of the State and of the Confederacy, and that you will aid me in adjusting the difference without a resort to force, I propose that a case shall be immediately made for the Supreme Court of Appeals of the State, in which the constitutionality of the conscript act can be tested. This may be done by the enrollment of a cadet and an application for a writ of habeas corpus on the part of the superintendent of the institute.

If you will direct him to pursue this course I will order the necessary enrollment to be made at such time and place as you may designate, and I will also give orders that pending the trial under the writ the cadet may be allowed to remain at the institute, subject to the order of the War Department.

As my only wish is to obtain a speedy decision of a question threatening us with so much peril, I desire to avoid all controversy about forms of proceeding, and will acquiesce in any arrangement by which the constitutionality of the act can be tested.

In the absence of a Supreme Court of the Confederate States I am happy at having it in my power to submit the question to a tribunal so pure and so intelligent as the Supreme Court of Appeals of Virginia.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

[OCTOBER 16, 1862.—For Lee to Randolph, in relation to Confederate money, see Series I, Vol. XIX, Part II, p. 668.]

CONFEDERATE STATES OF AMERICA, DEPT. OF JUSTICE,
Richmond, Va., October 17, 1862.

Hon. GEORGE W. RANDOLPH,
Secretary of War:

SIR: I have the honor to acknowledge the receipt of the letter of Lewis Cruger, comptroller, &c., addressed to you on the 14th instant, propounding certain questions hereinafter more specifically noticed. You ask my opinion on the questions thus presented. How far Government is bound to indemnify individuals, its inhabitants, for damages sustained during war has been a mooted question for centuries. Of course each government must decide this question for itself, and be guided in the decision by its own fundamental law or constitution. When a government has a written constitution prescribing its duties and powers, these duties and powers must be examined in ascertaining whether the damages sustained in war create such an obligation as is within the power of the legislative department to provide for. The Constitution of the Confederate States divides the powers and duties of the Confederate Government into three separate and distinct departments, the legislative, judicial, and executive. The powers of the legislative department are specially defined, and its duties, though not specifically defined, are, nevertheless, clearly made known. Congress, the organ of the legislative department, has not only no power to bestow gratuities or gifts, but is by the first clause of eighth section, first article, of the Constitution prohibited from granting bounties. The Government of the Confederate States has vested in it the power to declare and carry on war and to conclude peace. The States composing the Confederacy have no war-making powers, and are expressly forbidden to keep troops or ships of war in time of peace, and to engage in war unless actually invaded or in such imminent danger as will not admit of delay. By virtue of this exclusive right to make war and raise and support armies for the defense of States and people, the Confederate Government has the right to seize private property for the public use. This right is recognized distinctly in the sixteenth clause, ninth section, article first, of the Constitution. This right of taking private property for the public use is coupled with the duty of providing just compensation for the property so seized. The power to take cannot be constitutionally exercised without the performance of the duty to provide the pay. This has been repeatedly decided by the highest judicial authority. There are other damages sustained in war besides those arising from taking private property for public use, which would create an obligation no just State having the ability and the power by its constitution to pay could resist. Vattel, on page 402, says "damages sustained in war are divided into two kinds—those

done by the state itself and those done by the enemy." Those done by the state are subdivided into two kinds: those done deliberately, by way of precaution, for the public safety, and those caused by inevitable necessity. Of the first kind caused by the state itself Vattel gives as examples:

> When a field, a house, or a garden belonging to a private person is taken for the purpose of erecting on the spot a tower, rampart, or any other piece of fortification, or when his standing corn or his store-houses are destroyed to prevent their being of use to the enemy, all such damages are to be made good to the individual, who should bear only his quota of the loss.
>
> Damages caused by inevitable necessity, such as the destruction caused by the artillery in retaking a town from the enemy, are accidents, misfortunes, which chance deals out to the proprietors on whom they may happen to fall. The sovereign, indeed, ought to show an equitable regard for the sufferers, if the situation of his affairs will admit of it. No action lies against the state for misfortunes of this nature for losses which she has occasioned, not willfully, but through mere accident in the exercise of her rights.
>
> Damages caused by the enemy to individuals are mere accidents of war, and have not generally been considered as creating any just charge against the state. (Vattel, 402.)

But under our Government Congress must determine what damages shall be paid for and make appropriations for the indemnity. No other department of the Government has the constitutional right to determine the question. In the absence of a law the Executive Department, where the public necessity was so imperative as to admit of no delay, has frequently exercised the power to appropriate private property for the public use. The impending necessity which occasioned the act may be said to furnish the justification. (See Harmon *vs.* Mitchell, 13 How., 115.) In all such cases the legislative department would provide the just compensation for the property so seized. The facts presented by the letter referred to me, and on which my opinion is asked, show that vessels belonging to private individuals, citizens of the State of Virginia, "were seized as a military necessity, by order of the commanding general (Joseph E. Johnston), and sunk in the Pamunkey River to impede the advance of enemy's gun-boats." The public necessity certainly justified General Johnston in this use of private property, and I have no doubt that just compensation should be made to the owners of the vessels so destroyed. But under our Constitution "no money shall be drawn from the Treasury but in consequence of appropriations made by law." The law-making power of the Government must therefore act before any money can constitutionally get out of the Treasury. Congress is the law-making power of the Government. Congress can appropriate no money from the Treasury except by a vote of two-thirds of both Houses, taken by yeas and nays, unless it be asked and estimated for by some one of the heads of the Departments and submitted by the President, save in two cases expressly named in the Constitution. The Constitution requires that all bills appropriating money shall specify in Federal currency the exact amount of each appropriation and the purposes for which it is made. Unless, therefore, an appropriation has been made by Congress for the payment of the damages to the owners of the vessels thus seized and appropriated to the public use no payment can legally be made to them. I have examined the appropriation act of the last session of Congress, and I can find none out of which these claims can be legally paid.

I have the honor to remain, very respectfully, your obedient servant,

T. H. WATTS,
Attorney-General.

GENERAL ORDERS, No. 76. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, October 17, 1862.*

Maj. A. H. Cole, quartermaster, is announced as inspector-general of field transportation for the C. S. Army, headquarters Richmond, Va. All officers of the Quartermaster's Department will report to him without further orders the number of wagons, horses, mules, sets of harness, and their condition.

The chief quartermasters of the armies in the field will see that this order is observed by all officers of the Quartermaster's Department within the limits of their respective commands.

By order:

S. COOPER,
Adjutant and Inspector General.

JACKSON, *October 17, 1862.*
(Received 18th.)

His Excellency JEFFERSON DAVIS:

The importance of salt to be exchanged for cotton is regarded here as a necessity. Many have no bacon and no salt; are living on vegetables and bread without salt. I hope you will not order it stopped until you have all the facts. Will write you to-morrow at length.

J. J. PETTUS.

[First indorsement.]

Secretary of War for notice and remarks.

J. D.

[Second indorsement.]

OCTOBER 19, 1862.

Respectfully returned to the President.

Orders have been given to prevent cotton from being sent to any port in possession of the enemy. The penalties of the two acts of Congress of May 21, 1861, and April 19, 1862, are very heavy, and the acts are a very clear expression of the legislative will.

G. W. RANDOLPH,
Secretary of War.

[OCTOBER 17, 1862.—For Jones to Randolph, recommending the temporary suspension of the execution of the conscript act in East Tennessee, &c., see Series I, Vol. XVI, Part II, p. 953.]

CONFEDERATE STATES OF AMERICA, DEPT. OF JUSTICE,
Richmond, October 18, 1862.

Hon. GEORGE W. RANDOLPH,
Secretary of War:

SIR: In reply to your request to give you my opinion how far the exemption act of last session of Congress is retrospective, I submit for your consideration the following:

In ascertaining the correct construction of the last exemption law it may be profitable, if not necessary, to glance at all the legislation

of Congress on the subject of conscription. The exemption acts of the last and preceding sessions of Congress must to some extent be regarded as parts of the conscription acts of those sessions. Each conscription act refers to exemptions, either then or to be provided for. The first conscription law authorized the President to call out and place in the military service of the Confederate States all white men who were residents of the Confederate States, between the ages of eighteen and thirty-five at the time the call was made, not legally exempt from military service. All of the prescribed age who were then in the service, and who had enlisted for a period of less than three years, were by this act retained in the service for three years from their enlistment, unless the war should be sooner terminated. The act did not operate on those who had enlisted for three years or the war, except that the eleventh section gave the privilege of electing officers to certain battalions, squadrons, and regiments. The first exemption act in most of its provisions operated only on those persons not then in the military service of the Confederate States or those liable to be called into the service. The conscription act of the last session of Congress authorizes the President to call out and place in the military service of the Confederate States all white men, residents of the Confederate States, between the ages of thirty-five and forty-five years at the time the call or calls may be made, who are not at such time or times legally exempted from military service, &c. The exemption act of the last session of Congress repeals by express terms the first, and was evidently intended as a substitute for it. How far it was intended to act retrospectively must be ascertained from its provisions interpreted by the rules given for the construction of statutes. No statute is presumed to be retrospective. Except as to remedial statutes, the presumption is always against a retrospective operation. It has been repeatedly adjudicated that a retrospective operation will not be given to a statute unless the intention that it shall so operate clearly appears. In ascertaining the true intention of the statute we are to look at and compare all parts of it; sometimes at other statutes to be taken *in pari materia* with it; the good proposed to be effected, the evil proposed to be remedied, the language used, and the context.

It may well be that some parts of a statute are intended to be retrospective and others prospective, or intended to operate *in præsenti*. This exemption act in most of its provisions is expressly restricted to the time of its enactment. I have carefully examined and analyzed each provision exempting classes of persons, and I am satisfied that there is but one provision which can be rationally considered as retrospective to any extent. It is by no means certain that even this can be so considered. I allude to that provision which undertakes to "secure the proper police of the country" by relieving the agents, owners, or overseers of plantations from service. It seems to me, however, that an evil which existed under the first exemption act was to some extent intended to be provided for by this part of the last law. In giving proper effect to this exemption act it must not be overlooked that the first as well as the last exemption act relieves from "military service in the Army of the Confederate States." Those persons between the ages of eighteen and thirty-five years who have only been called out and not mustered into the service are entitled to the benefits of the last exemption law. To exempt means to free from an anticipated burden or duty to which others may be subject. To discharge means to release from a present burden or duty. The

spirit of the law, if not the letter, might authorize a discharge of persons in actual service in order "to secure the proper police of the country." Whilst the language of the present exemption law in all the provisions, except the one before noticed, confines it to the time of its enactment in ascertaining the persons to be exempted, it must not be overlooked that the conscription act of the last session of Congress subjects only those to military service who are between the ages of thirty-five and forty-five at the time the call is made, and who are at such time not legally exempt.

I have the honor to remain, very respectfully, your obedient servant,

T. H. WATTS,
Attorney-General.

CANTON, GA., *October 18, 1862.*

His Excellency JEFFERSON DAVIS:

DEAR SIR: The act of Congress passed at its late session extending the conscription act, unlike its predecessor of which it is amendatory, gives you power in certain contingencies, of the happening of which you must be the judge, to suspend its operation and accept troops from the States under any of the former acts upon that subject. By former acts you were authorized to accept troops from the States organized into companies, battalions, and regiments. The conscription act of 16th of April last repealed these acts, but the late act revives them when you suspend it. For the reasons then given I entered my protest against the first conscription act on account of its unconstitutionality and refused to permit the enrollment of any State officer, civil or military, who was necessary to the integrity of the State government. But on account of the emergencies of the country growing out of the neglect of the Confederate authorities to call upon the State for a sufficient amount of additional force to supply the places of the twelve-months' troops, and on account of the repeal of the former laws upon that subject, having for the time placed it out of your power to accept troops organized by the States in the constitutional mode, I interposed no active resistance to the enrollment of persons in this State between eighteen and thirty-five who were not officers necessary to the maintenance of the government of the State. The first conscription act took from the State only part of her military force. She retained her officers and all her militia between thirty-five and forty-five. Her military organization was neither disbanded nor destroyed. She had permitted a heavy draft to be made upon it, without constitutional authority, rather than her fidelity to our cause should be questioned or the enemy should gain any advantage growing out of what her authorities might consider unwise councils. But she still retained an organization subject to the command of her constituted authorities, which she could use for the protection of her public property, the execution of her laws, the repulsion of invasion, or the suppression of servile insurrection which our insidious foe now proclaims to the world that it is his intention to incite, which if done may result in an indiscriminate massacre of helpless women and children.

At this critical period in our public affairs, when it is absolutely necessary that each State keep an organization for home protection, Congress with your sanction has extended the conscription act to embrace all between thirty-five and forty-five subject to military duty,

giving you the power to suspend the act as above stated. If you refuse to exercise this power and are permitted to take all between thirty-five and forty-five as conscripts, you disband and destroy all military organization in this State and leave her people utterly powerless to protect their own families even against their own slaves. Not only so, but you deny to those between thirty-five and forty-five a privilege of electing the officers to command them, to which, under the Constitution of the Confederacy and the laws of this State, they are clearly entitled, which has been allowed to other troops from the State, and was to a limited extent allowed even to those between eighteen and thirty-five under the act of April 16, as that act did allow them thirty days within which to volunteer under such officers as they might select, who chanced at the time to have commissions from the War Department to raise regiments. If you deny this rightful privilege to those between thirty-five and forty-five and refuse to accept them as volunteers with officers selected by them in accordance with the laws of their State and attempt to compel them to enter the service as conscripts, my opinion is your orders will only be obeyed by many of them when backed by an armed force which they have no power to resist. The last act, if I construe it correctly, does not give those between thirty-five and forty-five the privilege under any circumstances of volunteering and forming themselves into regimental organizations, but compels them to enter the present organizations as privates under officers heretofore selected by others, until all the present organizations are filled to their maximum number. This injustice can only be avoided by the exercise of the power given you to suspend the act and call upon the States for organized companies, battalions, and regiments.

I think the history of the past justifies me in saying that the public interest cannot suffer by the adoption of this course. When you made a requisition upon me in the early part of February last for twelve regiments I had them all, with a large additional number in the field, subject to your command and ready for service in about one month. It has now been over six months since the passage of the first conscription act and your officers during that time have not probably enrolled and carried into service from this State conscripts exceeding one-fourth of the number furnished by me as volunteers in one month; while the expense of getting the conscripts into service has probably been four times as much as it cost to get four times the number of volunteers into the field. In consideration of these facts I trust you will not hesitate to exercise the power given you by the act of Congress and make an early requisition (which I earnestly invite) upon the Executive of this State for her just quota of the additional number of troops necessary to be called out to meet the hosts of the invader, the troops to be organized into companies, battalions, and regiments in accordance with the laws of this State. The prompt and patriotic response made by the people of Georgia to every call for volunteers justifies the reasonable expectation that I shall be able to fill your requisition in a short time after it is made, and authorizes me in advance to pledge prompt compliance. This can be done, too, when left to the State authorities, in such a way as not to disband nor destroy her military organization at home, which must be kept in existence to be used in case of servile insurrection or other pressing necessity. If you should object to other new organizations on the ground that they are not efficient, I beg to invite your attention to the

conduct of the newly organized regiments of Georgians, and indeed of troops from all the States upon the plains of Manassas, in the battles before Richmond, upon James Island near Charleston, at Shiloh, at Richmond, Ky., and upon every battle-field whenever and wherever they have met the invading forces. If it is said that some of our old regiments are almost decimated, not having more than enough men in a regiment to form a single company; that it is too expensive to keep these small bands in the field as regiments, and that justice to the officers requires that they be filled up by conscripts, I reply that injustice should never be done to the troops for the purpose of saving a few dollars of expense, and that justice to the men now called into the field as imperatively requires that they shall have the privilege allowed to other troops to exercise the constitutional right of entering the service under officers selected and appointed as directed by the laws of their own State as it does that officers in service shall not be deprived of their commands when their regiments are worn out or destroyed. Our officers have usually exposed themselves in the van of the fight and shared the fate of their men; hence but few of the original experienced officers who went to the field with our old regiments, which have won so bright a name in history, now survive, but their places have been filled by others appointed in most cases by the President. They have, therefore, no just cause to claim that the right of election, which belongs to every Georgian, shall be denied to all who are hereafter to enter the service for the purpose of sustaining them in the offices which they now fill. If it becomes necessary to disband any regiment on account of its small numbers let every officer and private be left perfectly free to unite with such new volunteer association as he thinks proper, and in the organization and selection of officers it is but reasonable to suppose that modest merit and experience will not be overlooked.

The late act of Congress if executed in this State not only does gross injustice to a large class of her citizens, utterly destroys all State military organizations, and encroaches upon the reserved rights of the State, but strikes down her sovereignty at a single blow and tears from her the right arm of strength by which she alone can maintain her existence and protect those most dear to her and most dependent upon her. The representatives of the people will meet in General Assembly on the 6th day of next month, and I feel that I should be recreant to the high trust imposed in me were I to permit the virtual destruction of the government of the State before they shall have had time to convene, deliberate, and act. Referring, in connection with the considerations above mentioned, to our former correspondence for the reasons which satisfy my mind beyond doubt of the unconstitutionality of the conscription acts, and to the fact that a judge in this State of great ability, in a case regularly brought before him in his judicial capacity, has pronounced the law unconstitutional, and to the further fact that Congress has lately passed an additional act authorizing you to suspend the privilege of the writ of habeas corpus, doubtless with a view of denying to the judiciary in this very case the exercise of its constitutional functions for the protection of personal liberty, I can no longer avoid the responsibility of discharging a duty which I owe to the people of this State by informing you that I cannot permit the enrollment of conscripts under the late act of Congress entitled "An act to amend the act further to provide for the common defense" until the General Assembly of this State shall have convened and taken action in its premises. The plea of necessity set up for conscription

last spring, when I withheld active resistance to a very heavy draft upon the military organization of the State under the first conscription act, cannot be pleaded after the brilliant successes of our gallant armies during the summer and fall campaign, which have been achieved by troops who entered the service not as conscripts but as volunteers.

If more troops are needed to meet coming emergencies, call upon the State and you shall have them as volunteers much more rapidly than your enrolling officer can drag conscripts like slaves in chains to camps of instruction. And who that is not blinded by prejudice or ambition can doubt that they will be much more effective as volunteers than as conscripts? The volunteer enters the service of his own free will; he regards the war as much his own as the Government's war, and is ready, if need be, to offer his life a willing sacrifice upon his country's altar; hence it is that our volunteer armies have been invincible when contending against vastly superior numbers with every advantage which the best equipments and supplies can afford. Not so with the conscript. He may be as ready as any citizen of the State to volunteer if permitted to enjoy the constitutional rights which have been allowed to others in the choice of his officers and associates, but if these are denied him and he is seized like a serf and hurried into an association repulsive to his feelings and placed under officers in whom he has no confidence, he then feels that this is the Government's war, not his; that he is the mere instrument of arbitrary power, and that he is no longer laboring to establish constitutional liberty, but to build up a military despotism for its ultimate but certain overthrow. Georgians will never refuse to volunteer as long as there is an enemy upon our soil and a call for their services; but if I mistake not the signs of the times they will require the Government to respect their plain constitutional rights. Surely no just reason exists why you should refuse to accept volunteers when tendered, and insist on replenishing your armies by conscription and coercion of free men. The question, then, is not whether you shall have Georgia's quota of troops, for they are freely offered—tendered in advance—but it is whether you shall accept them when tendered as volunteers, organized as the Constitution and laws direct, or shall, when the decision is left with you, insist on rejecting volunteers and dragging the free citizens of this State into your armies as conscripts.

No act of the Government of the United States prior to the secession of Georgia struck a blow at constitutional liberty so fell as has been stricken by the conscription acts. The people of this State had ample cause, however, to justify their separation from the old Government. They acted coolly and deliberately in view of all the responsibilities, and they stand ready to-day to sustain their action at all hazards and to resist submission to the Lincoln Government and the reconstruction of the old Union to the expenditure of their last dollar and the sacrifice of their last life. Having entered into the revolution free men, they intend to emerge from it free men. And if I mistake not the character of the sons, judged by the action of their fathers against Federal encroachments under Jackson, Troup, and Gilmer, respectively, as executive officers, they will refuse to yield their sovereignty to usurpation and will require the Government, which is the common agent of all the States, to move within the sphere assigned it by the Constitution.

Very respectfully, your obedient servant,

JOSEPH E. BROWN.

CONFEDERATE STATES DEPOSITORY,
Augusta, Ga., October 18, 1862.

Received of Col. A. G. Rice, for account of the Secretary of the Treasury, 201 boxes and 60 kegs, said to contain $2,539,798.79.

THOS. S. METCALF,
Confederate States Depositary.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., October 20, 1862.

His Excellency JEFFERSON DAVIS,
President Confederate States of America:

SIR: I have examined the census returns of 1850 for the purpose of ascertaining the limit to which it is desirable to extend the age of conscription, and beg leave to submit the following statement deduced from those returns:

I find that the white population of the Confederate States in 1850, excluding Kentucky and Missouri, amounted to 4,341,948. Adding a third for the estimated increase since 1850, we have the present white population at 5,789,197.

Parts of Virginia and Tennessee being in the possession of the enemy, we may estimate the available white population at 5,000,000, and the male population at 2,500,000.

The conscript age, from eighteen to thirty-five, embraces 28.74 per cent. of the whole, and gives 718,500 subject to conscription under existing laws.

An extension of the age to forty embraces 5.8 per cent. more, and gives an addition of 145,000, and a further extension to forty-five adds 4.06 per cent., or 101,500.

The first extension, together with the present conscription, will give 863,500 subject to military service, and estimating the exempts at three-sevenths, we shall have a force in the field of 493,500, or, in round numbers, half a million of men.

It is questionable whether a larger number can be fed, clothed, and armed, and I fear that a greater addition to the Army than that proposed would rather impair than increase its efficiency.

Numbers are only one element of strength. We shall gain more after reaching a certain point by proper attention to subsistence and equipments than by mere addition to the numerical strength of our forces.

Five hundred thousand men will be 5 per cent. of our entire population, black and white. This is a larger proportion than European powers place in the field, and quite as large a number as a prudent regard to our resources will at present justify.

I therefore recommend that the conscript age be not extended at this time beyond forty years.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

[Indorsement.]

OCTOBER 20, 1862.

The present call will be limited to men under forty years old.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, October 20, 1862.

Hon. C. G. MEMMINGER,
Secretary of the Treasury:

SIR: I have received your letter of the 16th instant inquiring as to an officer by whom bonds may be sent to Europe. In reply I have the honor to say that the Department knows of no opportunity of sending bonds abroad. Major Ferguson was detailed for the purpose of carrying out funds to purchase winter clothing for the Army, and he left here under the impression that the bonds he took with him were for this purpose. If not so applied, the arrangement of the Department for securing a supply of winter clothing will be defeated, and it is now too late to make any other arrangements in time to meet the wants of our soldiers. I must therefore most earnestly request that the bonds carried out by Major Ferguson be applied to the purpose indicated. Had the Department been informed at the time that Major Ferguson was taking out the bonds for other purposes, some other arrangement would have been attempted.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

SPECIAL ORDERS, No. 245. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, October 20, 1862.

* * * * * * *

XXIX. Officers commanding camps of instruction under the conscription acts will cause the enrollment of conscripts to be extended to all men not subject to exemption who are between eighteen and forty years of age.

By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

EXECUTIVE COUNCIL CHAMBER,
Columbia, S. C., October 20, 1862.

General G. T. BEAUREGARD,
Commanding Department of Georgia, &c.:

SIR: I have the honor to inclose (by order of the Governor and Council) an ordinance to provide for the removal of negroes, &c., and report of Special Committee No. 2, adopted by the convention of South Carolina.

Very respectfully, your obedient servant,

B. F. ARTHUR,
Clerk of the Convention.

[Inclosure No. 1.]

AN ORDINANCE to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy.

We, the people of the State of South Carolina, in convention assembled, do declare and ordain, and it is hereby declared and ordained:

SECTION 1. That for the purpose of more fully accomplishing the objects of this ordinance, there shall be elected by this convention a

commission of three citizens for each of the districts of Horry, Georgetown, Charleston, Colleton, and Beaufort; and the citizens constituting such commission shall be fully authorized to exercise the powers hereinafter provided for the said commission.

SEC. 2. That whenever there shall be reason to believe that any portion of the State not now in the actual possession of the enemy may come into his possession, or the commanding general of the Confederate forces shall notify any one of the said commissions that a removal of the slaves within the district of said commission, or any portion thereof, is necessary for the successful prosecution of his military duties, or it shall appear to the said commission that such removal is otherwise required by the public interest, it shall be the duty of the commission for the district in which portion of the State it may be to notify all persons therein residing and owning negroes, or having them in charge, forthwith to remove and take with them, beyond a line to be designated by the commissioners, such negroes and such other property to them belonging or in their charge as it may be practicable to carry with them. And for such removal the said commission shall give such aid as may be necessary and it can command. And if any person or persons residing in such portions of the State and there owning or having negroes in charge shall, after having received from the said commission the notice before mentioned, refuse or neglect to remove and take with them such negroes, it shall then be the duty of the said commission to compel the removal of such negroes. And the said commission shall, in all cases where it may be necessary, apply to the commanding officer of the military forces in the district for such aid as may be requisite for the removal of any negroes and conducting them to a place of safety.

SEC. 3. It shall be the duty of the said commission, in all cases of removal of negroes under this ordinance, to cause to be carried and removed with such negroes, if practicable, so much of the provisions which belong to the owner or owners or persons having charge of such negroes as will be necessary for their support, or to sell the same and apply the proceeds to the support of such negroes.

SEC. 4. In all cases where the owner or owners or persons having charge of negroes to be removed under this ordinance shall have prepared or provided a place or places to which such negroes can be carried, it shall be the duty of the said commission to give to the owner or owners or persons having charge of such negroes such aid for their removal as may be necessary and the commission can command. And if the owner or owners or persons having charge of negroes to be removed under this ordinance shall not have prepared or provided any place or places to which such negroes can be carried, it shall then be the duty of the said commission to cause such negroes, with the provisions for their support, to be removed and carried to such place or places as the said commission shall or may procure with the consent of the owner or owners of such place or places and upon such terms as may be agreed upon for the use and occupation of such place or places. And upon the removal of the negroes and provisions, if any, to such place or places they shall be no longer under the charge of the said commission, but shall be restored to the control of the owner or owners or persons entitled to the charge of them.

SEC. 5. It shall be the duty of the said commission without delay to procure and provide places to which negroes may be carried under this ordinance. And to such of these places as may be considered best for that purpose it shall be the duty also of the said commission

to cause to be carried, and there safely kept, such supplies of provisions as the said commission may and is hereby authorized to purchase. And such supplies of provisions at such places shall be considered public granaries, to be used under the authority of the said commission for the support of negroes removed under this ordinance and whose owner or owners or persons in charge of them are unable otherwise to provide for their support.

SEC. 6. Whenever the owner or owners or persons in charge of negroes removed under this ordinance shall be unable to employ them at the place or places to which they have been removed, it shall be the duty of the said commission to confer with the executive authority of this State as to the employment which can be given to such negroes on the public works, or in the public service of the State, or in any other manner by which the expense of their removal or support can be saved. And in all such cases the owner or owners or persons in charge of such negroes, if practicable, shall be consulted as to the employment of such negroes, and all such regulations shall be made for their safety and protection as such owner or owners or persons in charge of such negroes shall reasonably suggest.

SEC. 7. The said commission shall maintain frequent communications with the commanding general of the Confederate forces within this State, that it may be constantly informed of the necessity which may from time to time exist or arise for its exercise of the powers herein given and its discharge of the duties hereby imposed.

SEC. 8. The said commission shall keep a record of all its proceedings under this ordinance and report the same to the General Assembly of this State at its next annual meeting, unless previous to that time this convention shall be again assembled, and if so, such report shall then be made to this convention.

SEC. 9. When any sum of money shall be expended by or under the authority of the commissions herein provided for, in the removal or support of the slaves, or in the removal of the produce or other property of any person, there shall be a specific lien upon the said slaves of such person for the repayment of the said sum of money after the termination of the existing war; which lien may be summarily enforced by seizure and sale.

SEC. 10. The said commissions are hereby authorized to draw upon the treasury of the State for the sums of money which may be necessary to enable them to execute the provisions of this ordinance, and that the Legislature be directed to provide ways and means to reimburse the treasury.

SEC. 11. That in the event of any vacancy in said commission the commission shall have power to fill such vacancy.

SEC. 12. That all corporations and owners of ferries whose means and facilities of transportation may be used in carrying out the purposes of this ordinance shall not be allowed to charge more than half the present rates.

Done at Columbia the 2d day of January, in the year of our Lord 1862.

D. F. JAMISON,
President of the Convention.
B. F. ARTHUR,
Clerk of the Convention.

Resolved, That any person or persons willing immediately or in anticipation of the order of the commission to remove the negroes and

necessary provisions for their support, under the terms of an ordinance entitled "An ordinance to provide for the removal of negroes and other property from portions of the State that may be invaded by the enemy," be, and the same are hereby, entitled to receive all such aid on application to the commission as is prescribed by said ordinance to be afforded to those who remove on notice; and the commission is hereby directed to afford the said aid so far as the same may be expedient or practicable; and further, that all means of transportation shall be afforded by corporations and private ferries under the terms of said ordinance.

[B. F. ARTHUR,]
Clerk of Convention.

[Inclosure No. 2.]

In convention of the people of the State of South Carolina, in secret session.

The special committee No. 2, charged with considering and reporting upon the proper action of the State in case at any time further valuable portions of our territory should be pronounced untenable by the military authorities, respectfully report that they immediately on their appointment proceeded to consider the grave matter committed to their charge, and after several consultations concluded to hold their report until the convention should act on the reports of special committees Nos. 1 and 5. This committee unanimously concur in the general line of policy indicated in the ordinance reported by special committee No. 1 and adopted by the convention, and ask leave to report resolutions to extend the provisions of the original ordinance to white inhabitants of Charleston incapable of conducting their own removal, and to modify its provisions in reference to the removal of negroes from that city. In regard to the city of Charleston, your committee cannot believe that it will ever be pronounced untenable by the military authorities until the trial of strength and endurance has been tested to the uttermost. They recommend that it should be expressed as the sense of the people of South Carolina, assembled in convention, that Charleston should be defended at any cost of life or property, and that in their deliberate judgment they would prefer a repulse of the enemy with the entire city in ruins to an evacuation or surrender on any terms whatever. The committee oppose altogether the idea of abandonment until both the defending army and the city are so far destroyed that no provision need be made for further action. If, however, the city should be abandoned to the enemy, contrary to the expressed wish of the people of the State, your committee cannot bring themselves to recommend, as has been suggested by some, that the city should be destroyed by the hands of her own citizens, irrespective of the command of the military authorities. The committee have deliberated with painful anxiety upon this matter, but while they highly approve a defense like that of Saragossa, they cannot perceive in the circumstances of Charleston enough to recommend to her citizens the example of Moscow. The committee think the injury which might be inflicted in this way on the enemy quite too inconsiderable to warrant a proceeding so very much more disastrous to ourselves. Indeed, the committee are inclined to believe that the destruction of the city is precisely that which the enemy desire and design. The committee believe that an indiscriminate burning of the city could not be effected without destroying the lives of a very large portion of the non-combatant

inhabitants, whose removal could not be accomplished. Let the responsibility of so terrible a calamity rest upon the enemy. The committee accordingly recommend that the convention should express its disapproval of the suggestion of a voluntary burning of the city by the citizens. To the military authorities they have nothing to suggest on this point.

The committee recommend the adoption of the following resolutions:

Resolved, That the provisions of the "ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy" be extended to the removal of those persons in the city of Charleston who, by reason of age, sex, or infirmity, are incapable of taking part in its defense, if such removal becomes necessary in the judgment of the commission herein provided for.

Resolved, That a commission of five citizens of Charleston be chosen by the convention, whose duty it shall be to execute within the city of Charleston the provisions of the ordinance aforesaid and of this resolution.

Resolved, That in case any expense is incurred by the commissioners in the removal of white persons, such persons shall be liable to repay such expense to the commissioners, which repayment may be enforced by action of debt in any court of common law.

Resolved (1), That the injunction of secrecy be removed from the report of resolutions of special committee No. 2, adopted by the convention in so far as to permit the communication of a certified copy of the said report and resolutions to each of the commissioners for Charleston, with leave to make known so much of the same as may be necessary to the several parties interested therein, and to the commanding general of the Confederate forces in this State and the Confederate officer commanding at Charleston; and that the president be instructed to notify the commissioners of their election.

Resolved (2), That the commissioners for Charleston be each furnished with a copy of the "ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy," with the same right to communicate the same as by a previous resolution of this convention is given to the commissioners for the districts of Georgetown, Horry, Charleston, Colleton, and Beaufort.

Commissioners elected for Charleston: C. M. Furman, Charles Kerrison, R. N. Gourdin, G. A. Trenholm, W. D. Porter.

Resolved, That the injunction of secrecy be removed in relation to the ordinance providing for the removal of slaves, and the resolution passed amendatory thereof, in so far as to permit the communication of a certified copy of the ordinance to each of the commissioners, with leave to make known so much of the ordinance as may be necessary to the several parties interested therein, and to the commanding generals of the Confederate forces in this State. That the president be instructed to notify the commissioners of their election.

SAVANNAH, GA., *October 21, 1862.*

Hon. W. PORCHER MILES,
Member of Congress, Richmond, Va.:

Why should not Governors of Southern States offer to meet those of Northwest States at Memphis under flag of truce to decide on

treaty of peace to be submitted to both Governments? Has anything been done for Soulé? Offer Mitchel position on my staff if he can get a commission.

G. T. BEAUREGARD.

(A copy of the first part of the message sent to Governors Brown, Milton, and Pickens.)

KNOXVILLE, TENN., *October 21, 1862.*

President DAVIS,
Richmond:

MY DEAR SIR: General Jones, to accomplish that which we sought to preclude and prevent by an act of Congress, now favors a suspension of conscription in East Tennessee. You will remember that when I conferred with you in reference to the matter of fixing a time—a day certain—after which if regiments or battalions were organized they should not be received, that the 1st of October was determined upon to prevent the hurried and hasty organizations which would be formed in the time intervening between the introduction of the bill in the Senate and its approval by you. Now, it so happens that regiments have been organized, as I knew they would be, and General Jones, though informed by me of the passage of the act and its precise terms (for a copy of it was immediately published in the Knoxville Register), advised those who have participated in forming these regiments and companies that he will, by the ruse of suspending the conscription for a few days, have them received into the service. This would be a manifest and palpable evasion of the law as it occurs to me, and should by no means be tolerated. It certainly would defeat the very purpose for which the law was enacted. I presume General Jones will not say to you that it is impracticable to execute the law in East Tennessee, as he has said to me that he can execute it. The tories all through the country have it that the law will not be enforced, and if pending the enrollment now in progress its operation be for a day even suspended, it will embolden them to such a degree that I shall not be surprised if they hereafter resist outright. You are of course advised that General Bragg's entire command is now entering East Tennessee. It will be an easy and proper disposition of the men who have volunteered, and whom General Jones would now have you receive as new regiments, to place them at once in the old Tennessee regiments in General Bragg's army. I know very well that these suggestions are not such as present popular clamor in East Tennessee would have me to urge upon your consideration, but prompted by a sense of duty to the country I am constrained to urge you to the course I advise.

Very truly, yours,

WM. G. SWAN.

GENERAL ORDERS, No. 77. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, October 22, 1862.*

I. All cases of applications for transfer from the Army to the Navy must be forwarded through superior officers, who will certify whether the party whose transfer is sought is or is not a seafaring person.

II. The proposal of the Southern Express Company to carry funds for the Government having been accepted, all officers are hereby forbidden sending persons for funds in cases where the express company can be used.

III. Officers who have been charged with the disbursement of bounty funds will immediately render their accounts to the Quartermaster-General; otherwise they will be reported for dismissal, as required by law.

IV. Lieut. Col. George Deas, assistant adjutant-general, C. S. Army, is assigned to duty in the War Department as Acting Assistant Secretary of War, and will be obeyed and respected accordingly.

V. Paragraph II, General Orders, No. 57, current series, is modified so as to read as follows:

Hereafter all soldiers under eighteen and over forty years of age will be discharged at the expiration of the terms for which they have engaged to serve.

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General.

ENGINEER BUREAU,
Richmond, Va., October 22, 1862.

Capt. L. P. GRANT,
Corps of Engineers, Provisional Army, C. S., Atlanta, Ga.:

CAPTAIN: Herewith I inclose a copy of an act to enable the President of the Confederate States to provide the means of military transportation by the construction of a railroad between Blue Mountain, in the State of Alabama, and Rome, in the State of Georgia.*

By the terms of this act the President is empowered to enter into contracts for a speedy completion of the proposed link of railroad "with the several railroad companies whose charters extend over said line."

To accomplish the object contemplated the sum of $1,122,480.92 in the bonds of the Confederate States has been appropriated by the Congress, and it is proposed by the War Department to make a loan of this amount to a railroad company on such terms as will insure a prompt execution of the work and the repayment to the Government of the money advanced.

The duty of making such contract is assigned to you, subject to the approval of the Secretary of War, and in the following conditions, to wit:

First. That the loan made by the Government to the contracting railroad company shall be in bonds of the Confederate States of America, bearing 8 per centum interest per annum.

Second. That a mortgage be given to the Government on the proposed link of railroad and its appurtenances for the payment of the money loaned, with interest at 8 per centum per annum.

Third. The company to complete the link of railroad in six to ten months from date of contract, and in case of failure the Secretary of War to have the power to foreclose the mortgage and order the sale of the road to other parties.

Fourth. The War Department reserving to the Government the preference in all transportation over the road during the existing war.

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*See October 2, 1862, p. 200.

Fifth. That the amount loaned be refunded in installments of from $50,000 to $100,000 per annum, beginning at the end of twelve months after the day named in the contract for the completion of the road.

Sixth. The right be reserved to the Government of having the work on the road inspected from time to time to determine its character, progress, &c.

Seventh. That the Confederate bonds, constituting the loan to the company, be furnished in proportion to the progress of the work—that is, the War Department must have satisfactory evidence through the inspecting engineer of proper arrangements for a vigorous prosecution of the construction before advancing any portion of the loan, and like evidence before making subsequent advances.

Eighth. The bonds to bear interest from the date of delivery to the company, and the interest (to be paid to the Government on the amounts loaned) to commence at the same dates.

Ninth. The contract to be signed in quadruplicate, one copy for the company, one for the inspecting engineer, one for the files of the War Department, and one for the auditing officer of the Confederate Treasury.

Tenth. The Government not to be bound by the contract until approved by the Secretary of War, to be so stated in the contract.

You are authorized to employ on reasonable terms a lawyer to aid you in drawing up the contract when the terms have been agreed upon between the company and yourself. As there will probably be competition among the several railroad companies for the contract proposed, you will consider well the ability of the respective competitors to comply with the obligations they propose to incur. You will not be limited to the most favorable terms offered unless the party or parties have undoubted ability to execute the work in the time named.

Make, however, the best terms you can, subject to the above considerations as regards time of construction and payment of installments.

You will please to enter at once upon the duty assigned you, and keep this office informed of your proceedings and your address.

Very respectfully, yours,

J. F. GILMER,
Colonel and Chief of Engineer Bureau.

Approved.

GEO. W. RANDOLPH,
Secretary of War.

EXECUTIVE DEPARTMENT,
Richmond, Va., October 23, 1862.

Hon. B. H. HILL,
C. S. Senate, La Grange, Ga.:

DEAR SIR: Your letter of October 12 has been received, and I have to thank you for the candor and promptness with which you have advised me of the condition of public affairs in Georgia and Eastern Tennessee. The state of affairs in East Tennessee presents a very difficult question, and one which can be decided only by the consideration of many points. With every disposition to conciliate the people of that region, still the pressure upon us by the enemy is such

as compels us to call into the field all who are able to serve there. To exempt the unwilling would be to offer a premium to disaffection. To allow those who are unreliable in their loyalty to continue in separate organizations would prove a perilous experiment. Dangerous schemers might obtain important posts, and the least hazard incurred might be the propagation and perpetuation of a spirit discontented and unfriendly to the Confederacy. The distribution of this class of men among regiments of loyal and tried veterans would neutralize their evil influence, and in time, perhaps, effect a change in them. On the whole, though not free from objection, this seems the most feasible plan for efficiently organizing in East Tennessee. Already some recruits have been received, who are much needed to fill up the thinned ranks of the gallant Turney's brigade in Virginia. I am gratified at the report you give of the favorable tone of public opinion in Georgia relative to the conscription act. Nothing could be more unfortunate, not only for the success of the cause in which we are engaged, but also for the future reputation of the great State of Georgia, than any conflict between the authorities of that State and the Confederate Government on this question. Having full confidence on the constitutionality of the law, I rely on the decision of the supreme court of Georgia to remove the difficulties that at present embarrass the action of the State authorities. The recommendations which you make have been referred to the Secretary of War, and will receive from him the respectful consideration due to the indorsement they receive.

With much personal regard for yourself, as well as high consideration for your public character,

I am, very truly and respectfully, yours,

JEFFERSON DAVIS.

P. S.—Some regiments (said to be five) which have been organized in East Tennessee before the 1st of October will be received.

HUNTSVILLE, ALA., *October 24, 1862.*

Hon. G. W. RANDOLPH,

Secretary of War, Richmond, Va.:

MY DEAR SIR: There is great need of prompt action on the part of the Government to correct the evil influences of the Yankee reign and of abuses of power of our own agents in North Alabama. The disloyal stand in open defiance of constitutional authority, and of the few who are brave and patriotic enough to denounce them, and a large portion of those who are true to the Confederate Government are restrained by fear of the return of the Yankees and menaces of greater outrages than they have yet suffered from free expression of their sentiments and from any organization for their future defense. There is a very general feeling among such that the Confederate Government is too weak to protect them or to punish treason or to enforce its laws. Men are here who during the stay of the enemy sold them cotton and bought it for them, acted as their agents, as spies, informers, and depositaries, openly declaiming for the Union and even signing calls for Union meetings, and who are now trading with them at Nashville, passing uninterruptedly between that place and this city. No enrolling agent under the conscript act has been

in this section of Alabama, although quite two months has elapsed since the enemy left it, and those who ought to be in the Army or to go into it are resorting to every expedient for escaping conscription. Some half dozen are ensconced in the Niter Bureau office established here. Others are engaging in manufactories or trades or mining, and others are getting certificates of chronic disorders that their neighbors never suspected them of.

The reported retreat of Bragg and the disastrous defeat of Van Dorn have caused general dismay, and many are preparing to abandon their homes and to seek security in the mountains of Middle Alabama so soon as the army of Buell reaches the southern boundary of Kentucky. This city is the place where the Union feeling most prevailed and where it now most exists. It has given tone to the political sentiment of North Alabama. If examples could be made of the leading traitors here, or if they could be restrained from commerce with the enemy, it would have a most salutary effect. I assure you that there are men here holding office under the Confederate Government, receivers under the registration act, who have been guilty of disloyal acts. I would suggest that an enrolling officer be appointed immediately. Capt. L. H. Scruggs, Company I, Fourth Alabama, now major or lieutenant-colonel by promotion, is now here on crutches, having been severely wounded at Sharpsburg, and begs authority to enroll men to recruit his regiment. He cannot return to his regiment for several weeks and will gladly employ his time in trying to fill up that gallant regiment, which is now reduced to only 200 men. I trust that a telegram will be sent him to enroll recruits or to accept them as volunteers. In the adjoining county of Jackson, Samuel D. J. Moore would be an excellent enrolling officer. In this county Edward C. Betts would serve efficiently. If Moore were appointed for the counties of Jackson, Madison, Limestone, Lauderdale, Franklin, Lawrence, and Morgan, with authority to employ deputies in each, he would do the duties, I think, faithfully and efficiently. He is a graduate of West Point Military Academy and a respectable lawyer. If a camp of instruction were established here and he appointed to command it, a very wholesome influence would be exerted. This is as central and as accessible a point for the counties of all North Alabama and Middle Tennessee as any other. There is needing here something to assure the people of the existence of our Government, and of its power to protect or to punish.

Our Treasury notes are frequently returned, and are exchanged at a discount of 50 per cent. for Alabama or Tennessee bank notes. It is currently reported that Mrs. Judge Lane will return to this place or to North Alabama in a few weeks. This should not be permitted; or, if she come, she should be removed beyond our lines as soon as possible. She is as disloyal as her husband (now in Washington City), and much more dangerous. Any communication to Samuel D. J. Moore or to Capt. L. H. Scruggs or to Edward C. Betts addressed to me by mail or telegraph will receive my prompt attention.

If the cartel you showed me, providing for the release of political prisoners and respect of non-combatants and private property, was signed by Stanton please let me know it. I have troubled you with this communication as an imperative duty, and hope it will receive your prompt attention.

I am, most respectfully, your obedient servant,

C. C. CLAY, JR.

CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT,
Richmond, October 25, 1862.

Hon. G. W. RANDOLPH,
Secretary of War:

SIR: A commission has been organized by this Department to examine the coal and ore deposits in several of the counties of Virginia with a view to the fabrication of heavy ordnance, and I desire to obtain from you such an order as will enable it to obtain labor from the military forces stationed at or near the places of its investigations. Negro labor, I am assured, cannot be obtained. This, of course, will be preferred if it can be had. I will be very glad to have such aid as you can afford. The commission is composed of Commander Pinkney, Maj. Mitchel Tate, and Mr. O. G. Heinrich, geologist.

Very respectfully, your obedient servant,
S. R. MALLORY,
Secretary of the Navy.

[Indorsement.]

RICHMOND, *October 25, 1862.*

Hon. S. R. MALLORY,
Secretary of the Navy:

Prepare circular to officers in Confederate service in command of troops and posts, requesting them to furnish such labor as the commission may require, when it can be done without injury to the public service.

G. W. R.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., October 25, 1862.

Hon. GEORGE W. RANDOLPH,
Secretary of War, Richmond:

SIR: The frequent inquiries at this department as to the enrollment of commissioned officers of the State militia and the representations of want of uniformity of practice on the part of the enrolling officers induce me to request that you will favor me with a copy of the instructions given to enrolling officers upon this subject, and also an intimation of your proposed action under the late exemption act with reference to militia officers. I have given a ready and earnest support to the provisions of the act, and am not inclined to make captious objections to its exercise, but I desire uniformity in administration that the law may operate equally and alike upon all, and that I may be able to give certain and intelligible answers to the numerous inquiries addressed me upon the subject. Nor am I inclined to screen militia officers from service, especially that now their commands are so limited in consequence of the enrollment of the greater portion of the militia in the Confederate service, and I only desire that the rule for Alabama shall be identical with that for her sister States. I am induced to make this request because I find it impossible to understand the varied practice of the enrolling officers, having now before me a letter from a major-general of one division, who informs me that in one of his regiments these officers are enrolled and not in the others. In some regiments the commission exempts, regardless of date of commission or time of election. In some evidence of date of election is

allowed to supply evidence of rank attained previous to the passage of the act; in others the date is held conclusive. Heretofore in this State the commission has been but little regarded by officers, the election conferring the authority and the commission being but the evidence; hence commissions bore only the date of issuance without any reference to the date of the election, all questions of rank being easily settled by reference to the records of the Adjutant-General's Office. Some fixed and definite rule, too, should be adopted in reference to officers newly elected to fill vacancies in the militia. If the old officers are exempted, reason would dictate that the efficiency of the militia would be as much impaired by the enrollment of one class of officers as the other. I would thank you for the information requested at as early a day as the duties of your office will permit.

Very respectfully, your obedient servant,

JNO. GILL SHORTER,
Governor of Alabama.

ROME, GA., *October 25, 1862.*

Mr. JEFFERSON DAVIS,
President, &c.:

HONORED SIR: Inclosed I send you a copy of the resolutions of our Board of Directors touching the appropriation made by Congress for the completion of our road. We are anxious to avail ourselves of the means offered, and therefore write you to obtain that information which I trust will remove from my mind the serious difficulties which now appear to me so formidable. If the completion of the road from Rome to Blue Mountain be a military necessity, then its speedy completion is of paramount importance. Time is really the essence of the matter, and doubtless you agree with us that if we cannot foresee any reasonable prospect of procuring the iron rails it will be useless for us to employ the Government means in finishing the grading, superstruction, &c. You are aware of the many obstacles which may render our efforts fruitless in obtaining iron rails, spikes, chairs, &c., by the usual modes of purchase, and unless that authority which has declared the road to be a military necessity also declares that iron shall be furnished I know not how to proceed. Our earnest desire is to build our portion of this road at once, viz, from Rome to the State line of Alabama, which is about 22 miles. We feel confident we can have it ready for the iron in ninety days from the time the work is commenced, as all the heavy grading and principal bridging is finished. Our company has already expended upon the road about $85,000; of that amount we now owe between $30,000 and $35,000 on contracts and loans. After paying the latter we will freely merge the work already done into the mortgage deed and thereby enhance the Government security at least $50,000. At present prices of material and labor this additional security would amount to a much larger sum, and we can assure you that the means used so far have been judiciously expended. Will you, sir, please advise us at once and say whether you can give us the requisite aid for procuring iron, &c., by impressment or otherwise, and also communicate any other information your superior judgment may deem of advantage.

Very respectfully, your obedient servant,

ALFRED SHORTER,
President Georgia and Alabama Railroad.

[First indorsement.]

Secretary of War for reply.

J. D.

[Second indorsement.]

NOVEMBER 6, 1862.

Engineer Bureau for reply.

Inform them that the road is considered highly important, and that the Government will exert its utmost powers in procuring iron.

G. W. R.

[Third indorsement.]

DECEMBER 2, 1862.

Respectfully returned to the files of the Honorable Secretary of War, an answer having been sent to Mr. Shorter and a copy of the letter, with its inclosure, forwarded to Capt. L. P. Grant, engineer in charge of the Rome and Blue Mountain Railroad.

A. L. RIVES,
Major and Assistant to Chief Engineer.

[Inclosure.]

ROME, *October 20, 1862.*

RESOLUTIONS.

Whereas, it is highly important that the projected railroad between Rome, in Georgia, and Blue Mountain, in Alabama, should be speedily built, it is therefore

Resolved, That we avail ourselves at once of the proffered loan by the Congress of the Confederate States, and to this end we hereby accept the provisions of the act entitled "An act to enable the President of the Confederate States to provide for the means of military transportation by constructing a railroad between Blue Mountain, in the State of Alabama, and Rome, in the State of Georgia," approved October [2], 1862. And we do authorize and empower the president of this company, by himself, his agent, or attorney, to execute and deliver to the President of the Confederate States the mortgage security required by said act.

And whereas, this company has already expended of their own means upon said road, in bridging, masonry, and grading, the sum of $———, and to that extent increasing the corpus of the property to be mortgaged, our president is instructed to have such saving clause embodied in said mortgage as will limit the lien and liability to the road and its equipments and the public property of the company. The individual property of the stockholders should not be liable for the redemption of said mortgage, but the president of this company is hereby authorized to tender to the President of the Confederate States a bond, with the most ample personal security, for the faithful application of the money and the diligent prosecution of the work.

Resolved further, That in consideration of the high price of materials and the embarrassment thrown around the procurement of iron rails by the pressure of Government contracts upon manufacturers, we do earnestly request the President of the Confederate States to appoint a military director over said line of railroad with proper power and discretion to impress iron and materials, provided they can be obtained in no other way, or in case the owners of such iron demand most unreasonable and exorbitant rates.

I certify the above and foregoing is a true copy from the record of minutes of the Board of Directors of the Georgia and Alabama Railroad Company.

CHAS. H. SMITH,
Secretary pro tem.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, October 25, 1862.

His Excellency President DAVIS:

MY DEAR SIR: When in Richmond I had the honor to call your attention, in the presence of Mr. Randolph, to the subject of allowing the conscripts the privilege of selecting the regiments to which they should go. I understood you and the Secretary both to assent to it willingly. A few days after my return home, therefore, I was much surprised and grieved to find an order coming from the Secretary to Major Mallett to disregard an order to this effect from Brigadier-General Martin and to place all of them in certain brigades under General French. I immediately addressed a letter to Mr. Randolph protesting against it and giving my reasons for so doing.* To this letter, after the lapse of two weeks, I have received no reply.

Last week about 100 men were brought into camp from one county alone, from a region somewhat lukewarm, who had been got to come cheerfully under the solemn promises made them by my enrolling officer that they should be allowed to join any regiment they desired, according to the published orders. Under the circumstances General Martin said they might yet have their choice, started them accordingly, and wrote to General French, begging his consent to the arrangement. He refused, of course, and according to a note received from him the men were stopped at Petersburg and "distributed equally" to certain regiments, as quartermaster's stores or any other chattel property, alleging that by not coming in sooner they had forfeited all claims to consideration.

Of the shortsightedness and inhumanity of this harsh course toward our people I shall offer no comment. In bringing the facts to your attention I wish not only to ask that a more liberal policy be adopted, but to make it the occasion of informing you also of a few things of a political nature which you ought to know.

The people of this State have ever been eminently conservative and jealous of their political rights. The transition from their former opinions, anterior to our troubles, to a state of revolution and war was a very sudden and extraordinary one. Prior to Lincoln's proclamation the election for delegates to our proposed convention exhibited a popular majority of upward of 30,000 against secession for existing causes. The late elections, after sixteen months of war and membership with the Confederacy, show conclusively that the original advocates of secession no longer hold the ear of our people. Without the warm and ardent support of the old Union men North Carolina could not so promptly and generously have been brought to the support of the seceding States, and without that same influence constantly and unremittingly given the present status could not be maintained forty-eight hours. These are facts. I allude to them not to remind you of any heretofore political differences (which I earnestly hope are buried in the graves of our gallant countrymen), but simply to give you information.

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*See October 10, p. 114.

The corollary to be deduced is briefly this: That the opinions and advice of the old Union leaders must be heeded with regard to the government of affairs in North Carolina or the worst consequences may ensue. I am candid with you for the cause's sake. I believe, sir, most sincerely that the conscript law could not have been executed by a man of different antecedents without outbreaks among our people; and now, with all the popularity with which I came into office, it will be exceedingly difficult for me to execute it under your recent call with all the assistance you can afford me. If, on the contrary, West Point generals, who know much less of human nature than I do of military science, are to ride roughshod over the people, drag them from their homes, and assign them, or rather consign them, to strange regiments and strange commanders, without regard to their wishes or feelings, I shall be compelled to decline undertaking a task which must certainly fail.

These conscripts are entitled to consideration. They comprise a number of best men in their communities, whom indispensable business, large and helpless families, property, and distress in a thousand shapes have combined to keep them at home until the last moment. In spite of all the softening I could give to the law, and all the appeals that could be made to their patriotism, much discontent has grown up, and now the waters of insubordination begin to surge more angrily than ever as the extended law goes into effect. Many openly declare they want not another conscript to leave the State until provision is made for her own defense; others say it will not leave labor sufficient to support the women and children, and therefore it must not be executed. Thousands are flying from our eastern counties, with their slaves, to the center and west to devour the very short crops and increase the prospect of starvation. Governor Letcher is threatening to deprive the State of a contract we have for procuring salt in Virginia, and when the enemy seizes Wilmington (which he no doubt will do when the pestilence abates) we shall have no assurance of obtaining it from any other source; hence I am importuned by many to defend our own coast myself. You see the difficulties which beset me. But through them all I have endeavored and shall endeavor to hold my course straightforward for the common good. It is disheartening, however, to find that I am thwarted in so small a matter as this, which is yet a great one to the conscript.

I have thus spoken candidly and explicitly. I beg you will not in any manner misinterpret me or fail to appreciate my motives. I trust that whether on the field or in the council I have established my claims to respect and confidence. I can do much toward increasing our armies if properly aided by the War Department. When the sowing of the wheat crop is completed, 15,000 or 20,000 men can be got out in a short time, especially if an assurance can be given that an adequate proportion will be sent to the defense of our own coast and suffering people. I should also be pleased to know what our sister States are doing in support of the conscript law, as a very general impression prevails that this State is doing vastly more than its share. A sense of justice and fair treatment will do more than all besides in bringing our entire able-bodied population into the field.

Earnestly trusting that my representations of things in North Carolina may enable you to do that which is for the best, and will most advance the great cause for which the Nation is suffering and bleeding,

I remain, with highest respect, your obedient servant,

Z. B. VANCE.

[First indorsement.]

Answer as per draft and refer to Secretary of War for attention.*

J. D.

[Second indorsement.]

Please to return to President's office.

WM. M. BROWNE,
Colonel and Aide-de-Camp.

[Third indorsement.]

NOVEMBER 7, 1862.

Respectfully returned to the President.

General Orders, No. 30, the first order issued to carry the conscript law into effect, expressly provided that the wishes of the conscripts should be consulted as far as practicable in assigning them to companies. In a recent order, which will soon be published, this has been continued. The letter of Governor Vance was not answered because it imputed "bad faith" to the President and Secretary of War and could not be answered without risking a breach between the Governor and the Department, which would be detrimental to the public service.

G. W. RANDOLPH,
Secretary of War.

RICHMOND, VA., *October 25, 1862.*

Governor I. G. HARRIS,
Knoxville, Tenn.:

I have not suspended the enrollment. The War Department has only agreed to receive five regiments raised before October 1, under authority of a special law. Confer with the military authorities and give us recruits for the old regiments as far as practicable. I have already required in these matters that the case should be referred to you. You have my confidence; I want your assistance.

JEFFERSON DAVIS.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., October 27, 1862.

Hon. G. W. RANDOLPH,
Secretary of War:

SIR: On the receipt of your dispatch advising the withdrawal of labor from the railroad in West Alabama,† I dispatched one of my aides, ex-Governor A. B. Moore, to examine into the matter. Inclosed I hand you copy of a letter this day received from him, by which you will be pleased to learn that the difficulties in the way have been overcome, and that the work is rapidly progressing to a completion.

Very respectfully, your obedient servant,

JNO. GILL SHORTER,
Governor of Alabama.

[Inclosure.]

MARION, *October 24, 1862.*

His Excellency JOHN G. SHORTER:

DEAR SIR: I am just through with my railroad mission. Before taking any action on the matter I went to Demopolis to see the superintendent or chief engineer of the road. Colonel Tate was absent, but

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* See Davis to Vance, November 1, p. 154. † See October 2, p. 106.

Colonel Pritchard, the chief engineer, was at Demopolis. I stated my business and told him I had been directed by you to aid him in getting as many hands as were needed for the speedy completion of the work. I was gratified to learn that a number of the planters had returned their hands, and that he had procured other hands to supply the places of those who did not return. There are hands enough on the road to finish the grading and lay down the iron as fast as the bridges and trestlework can be completed, so that I was relieved from the necessity and trouble of raising hands. The president and engineer insisted that I should go with them along the road, see the contractors, and show the importance of a speedy completion of their contracts. This I did, and induced one of the bridge builders to increase the number of workmen. He has the largest bridge to erect. It will be at least four or five weeks before the road will be completed. The trip along the road was very rough, and I had to take it on horseback nearly to Meridian. I will be in Montgomery next week. I am delayed here to have the cotton I loaned to the Government weighed, sampled, and delivered.

With great respect, yours, &c.,

A. B. MOORE.

GENERAL ORDERS, No. 78. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, October 28, 1862.*

I. Commandants of posts, when consulted by officers of the telegraph companies as to the propriety of sending a message, will advise against it—

1. When it relates to the movements of troops.
2. When it relates to the position of particular corps.
3. When it gives information from which the movements and strength of the armies of the Confederate States, or any portion of them, can be inferred.

* * * * * * *

III. General hospitals are under the authority of the local commanding officers, but their general management and the medical officers thereof should be left to the control of the senior surgeon and medical director, to be interfered with by the commanding officer only in special cases, which will be referred to the commander of the department.

IV. Inasmuch as the regulations concerning the issue of commissary stores have been violated by issuing the same to civilians, hereafter all issues of subsistence not warranted by the regulations are positively prohibited.

By order:

S. COOPER,
Adjutant and Inspector General.

BROOK HAVEN, *October 29, 1862.*

Hon. G. W. RANDOLPH:

I am making every effort to get conscripts and forwarding them without delay. I am annoyed very much by partisan rangers. They are doing little or no service, and complained of by the whole community as well as the army. They are made up almost entirely of conscripts, who, if taken from them, could be placed in the Army, where

their services would be invaluable. I desire to execute General Orders, No. 53, to the letter; but when I call upon commanders of those corps they say they have authority to keep all who joined previous to the 31st of July. If that is the case I get no conscripts from them, as they say they all joined prior to that time. Their joining those corps at any time I consider a violation of the law, and to let them remain in those corps a violation of General Orders, No. 53. I desire, if not in direct violation of your opinion of said order, that you give me a positive order to take conscripts from all partisan rangers that have joined prior to 31st of July, except those companies designated at the request of Governor Pettus, and please word the order to that effect.

M. R. CLARK,
Major and Assistant Adjutant-General.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 80. } *Richmond, October 30, 1862.*

I. Upon the death of a commissioned officer in the service of the Confederate States his immediate commanding officer will forthwith make out a certificate of the fact, stating his rank and the command to which he belonged; when, where, and from what cause he died, and, if possible, when and by whom last paid.

Upon the death of a non-commissioned officer or private in said service the officer commanding his company at the time of his death will, in like manner, forthwith make out a descriptive list, in which he will set forth when, where, and by whom he was enlisted; when, where, and from what cause he died; when and by whom he was last paid; whether there is any bounty or commutation for clothing due him, and whether there are any stoppages against him, for what cause and of what amount.

These certificates and descriptive lists will be transmitted directly to the Second Auditor of the Treasury of the Confederate States.

II. Surgeons and assistant surgeons in charge of military hospitals, or of sick and wounded officers and soldiers in private hospitals and houses, upon the death of either an officer or a soldier, will forthwith make out and forward directly to the Second Auditor of the Treasury of the Confederate States a certificate stating, in the case of a commissioned officer, his rank and the command to which he belonged; in the case of non-commissioned officers and privates, the company and regiment to which they belonged, and in all cases when, where, and from what cause they died. Should the deceased leave any effects or money, a statement setting forth a list of the effects, the amount of the money, and in whose hands the same will remain until legally called for will accompany said certificate.

III. Lieut. Col. W. Le Roy Brown, on ordnance duty, is hereby detailed to supervise the examination of candidates in the Army for appointments as artillery officers for ordnance duty, as authorized by act of Congress approved 16th of September, 1862.

He will, in succession, proceed to the several headquarters of the armies under such special instructions as may be given him hereafter; and the general commanding will, on his application, associate with him any two artillery officers he may select, performing ordnance duties, who, together with himself, will constitute an examining board.

Due notice will be given through the Richmond Enquirer of the time at which examinations will be held.

Applications for permission to be examined will be addressed to the general commanding each army, and will be filed with his chief of ordnance, to be laid before the board of examiners.

IV. Ordnance officers serving on the staff of commanding generals will not enter into contracts for nor purchase ordnance supplies except in case of necessity, on the authority of the general, which must be attached to the contract or account for purchase. The exigency requiring the purchase or contract will also be stated.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, October 30, 1862.

His Excellency JEFFERSON DAVIS,
President Confederate States of America:

SIR: I have the honor to inclose a letter* from the Commissary-General and a letter* to him from J. Fowlkes with his indorsement, expressing the opinion that the Army cannot be subsisted without permitting trade to some extent with Confederate ports in the possession of the enemy.

The alternative is thus presented of violating our established policy of withholding cotton from the enemy or of risking the starvation of our armies. Regarding the former as the less evil, I advise that the Commissary-General be authorized to contract for bacon and salt, and the Quartermaster-General for blankets and shoes, payable in cotton, and that the general commanding on the Mississippi be instructed to permit the cotton delivered under these contracts to pass our lines.

The amount of purchases should be limited to what is absolutely necessary to feed the Army and supply it with blankets and shoes.

I have examined the statutes prohibiting trade with Confederate ports in the possession of the enemy and I am of opinion that they do not apply to the Government, nor do I know of any principle of public law which prohibits a government from trading with the citizens or subjects of a hostile power. I think it will be found that in European wars dealings between the government of one nation and the subjects of another engaged in mutual hostilities are of ordinary occurrence, and that the prohibition of trade between such powers is confined to the dealings of private individuals.

I am fully aware that in permitting the enemy to obtain a partial supply of cotton we are conceding an advantage to him and licensing an objectionable trade, and nothing less than the danger of sacrificing our armies would induce me to acquiesce in such a departure from our established policy. But the Commissary-General, whose duty it is to study the question of subsistence and to inform himself of the sources of supply, and who has had the benefit of eighteen months' experience, having recorded his opinion that the Army cannot be subsisted under the present arrangements, I must decline the responsibility of overruling him and entering upon an experiment which may result in ruin.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

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*Not found.

[OCTOBER 30 to NOVEMBER 5, 1862.—For correspondence between Davis, Pickens, Randolph, and Chesnut, in relation to the acceptance of certain South Carolina State troops, see Series I, Vol. LIII, pp. 262–265.]

HDQRS. DEPT. OF SOUTH CAROLINA AND GEORGIA,
Charleston, S. C., October 30, 1862.

General BEAUREGARD:

SIR: In pursuance of Special Orders, No. 194, headquarters Department of South Carolina and Georgia, under date Charleston, October 16, 1862, I proceeded to Columbus, Ga., on the night of the 16th instant, with a view to the discharge of the duties therein devolved. Having performed the duties therein assigned I have the honor to submit the following report:

After a formal and official demand upon the president of [the Bank of] Columbus for the surrender of the coin of the Bank of Louisiana, he declined upon the ground that it was a personal trust and that he had no right to yield it. This left me no alternative, and I at once took possession of the bank, placing my guard at each entrance. After consultation with his friends the president of the Bank of Columbus consented to surrender the coin without compelling me to use military force. I then made a requisition for transportation and brought it under guard to Augusta, Ga., turned it over to T. S. Metcalf, Government depositary at Augusta, took his receipt in duplicate, and repaired to these headquarters.

All of which is respectfully submitted.

A. G. RICE,
Aide-de-Camp.

EXECUTIVE OFFICE,
Alexandria, La., October 31, 1862.

President DAVIS:

SIR: The State of Louisiana has had in operation for two years a military academy, the prescribed ages of admission for cadets being fifteen to twenty-one years. Large and costly buildings have been erected and magnificent salaries are given to the professors, the superintendent receiving a salary larger than that of the same officer at West Point. Of the cadets now on the rolls only three are over eighteen—Charles F. Buck, L. G. Fernandez, and P. Carmouche. All the older cadets left at the commencement of the war and are in the Confederate Army. The Governor now requests that you will exempt these three cadets from conscription. The supervisors of the academy have requested the Governor, who is ex officio their president, to ask of you the exemption of all cadets from conscription, as well those who may hereafter enter as those now matriculated. The Governor directs me to say that he does not make that request because it would afford unpatriotic and unchivalric youths a shield from the rendition of their services, now so much needed by their country. The spirit displayed by the whole body of cadets is admirable, and it is proper to remark the three cadets whose exemption is asked are poor boys whose education is provided by the State and who are dependent entirely on this opportunity for completing it. The reason, however, for asking their exemption is that they are officers in the corps, necessary for its effective organization. The Governor has charged me

to say further that he wishes you to consider the request of the supervisors for the exemption of all cadets as formerly laid before you, but without his recommendation. This letter would be signed by His Excellency as usual but for his absence with General Taylor on an exploration of the river-bank for sites for fortifications. News of a disaster below reached us last night. The Federals landed near Donaldsonville 2,500 strong, and attacked our forces, consisting of Eighteenth, Twenty-fourth (both together numbering 600), and Thirty-third, and defeated us. The fight occurred near Napoleon, and the last-named regiment ran incontinently. General Mouton has withdrawn to Brashear.

Very respectfully, your obedient servant,

TH. C. MANNING,
Aide-de-Camp.

[First indorsement.]

To Secretary of War.

J. D.

[Second indorsement.]

To ADJUTANT-GENERAL:

Exempt the three cadets specially recommended by the Governor, but not future cadets. That would only tempt the timid as to an asylum.

J. A. S.,
Secretary.

GENERAL ORDERS, No. 81. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 1, 1862.*

I. The payment of commissioned officers by any other quartermaster than the quartermaster of the command to which they belong is hereby prohibited, unless they exhibit to the quartermaster to whom application for payment is made orders from their commanding officers, or from the Department, showing them to be absent on detached duty, or leaves of absence from the commanding general under whom they are serving.

II. The following will be the organization of a company of light artillery, according to the number of guns composing the battery, viz:

For a battery of six guns: One captain, 2 first lieutenants, 2 second lieutenants, 1 sergeant-major or first sergeant, 1 quartermaster-sergeant, 6 sergeants, 12 corporals, 2 buglers or trumpeters, 1 guidon, 2 artificers, 64 to 125 privates.

For a battery of four guns: One captain, 1 first lieutenant, 2 second lieutenants, 1 sergeant-major or first sergeant, 1 quartermaster-sergeant, 4 sergeants, 8 corporals, 2 buglers, 1 guidon, 2 artificers, 64 to 125 privates.

By order:

S. COOPER,
Adjutant and Inspector General.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, N. C., November 1, 1862.

His Excellency President DAVIS:

DEAR SIR: Inclosed you will please find copies of two letters, one from Stanly to me and my reply. I send them both because I think

you should be aware of what is doing on our coast, and also because I did not know but that Stanly's proposition might foreshadow something of importance to our cause.*

Very respectfully,

Z. B. VANCE.

RICHMOND, VA., *November 1, 1862.*

His Excellency Governor VANCE,
Raleigh, N. C.:

DEAR SIR: I have the honor to acknowledge yours of the 25th ultimo, and regret the disappointment to which some of the recruits of North Carolina have been subjected. I concur with you as to the policy of allowing the conscripts, as far as the state of service will permit, to select the companies and regiments in which they are to serve. The rights secured by law to the volunteer to select his own company was lost, it is true, by enrollment; but the policy was so obvious of associating men together who would best harmonize with each other that it was my purpose to continue the privilege beyond the limit fixed by the law. The danger to the coast of North Carolina and our inability to draw troops from the Army of Northern Virginia rendered it proper that the greatest exertion should be immediately made to fill up the regiments in General French's command; but this did not interfere with allowing the conscripts to select among those regiments the one to which they would be assigned, so long as vacancies existed in the companies chosen, and that I expected would have been done. I will send your letter to the War Department, with a copy of this reply to you, and hope for the future there will be no ground for dissatisfaction, and that, as far as feasible, the disappointments to which you refer may be corrected by transfer. I feel grateful to you for the cordial manner in which you have sustained every proposition connected with the public defense, and trust that there will always be such co-intelligence and accordance as will enable us to co-operate for the public good. The conscript act has not been popular anywhere out of the Army. There, as you are aware, it served to check the discontent which resulted from retaining the twelve-months' men beyond their term of original engagement, and was fairly regarded as a measure equitably to distribute the burden of public defense, but the State authorities have nowhere offered any opposition to its execution, or withheld their aid, except in the State of Georgia, and, so far as the cadets of the military institute are concerned, in the State of Virginia. I shall endeavor by judicial decision to settle the questions raising in those two States, and in the meantime have been cheered by the evidence of a popular sentiment which supports any measure necessary to protect our country and secure our political independence. Like yourself, I have hoped that the party distinctions which existed at a former time would be buried in the graves of the gallant men who have fallen in the defense of their birthright, and that we should all, as a band of brothers, strike for the inheritance our fathers left us.

With sincere regard, I am, yours, respectfully and truly,

JEFFERSON DAVIS.

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*For inclosures, Stanly to Vance, October 21, 1862, and Vance to Stanly, October 29, 1862, see Stanly to Stanton, November 20, 1862, Series III, Vol. II, p. 845.

HDQRS. CAMP OF INSTRUCTION, DEPT. OF SOUTH CAROLINA,
Columbia, S. C., November 1, 1862.

General S. COOPER,
Adjutant and Inspector General, Richmond, Va.:

GENERAL: In pursuance of paragraph IV, General Orders, No. 64, I have the honor to report:

1. No conscripts have been moved since last report.	
2. Number in camp at last report	54
3. Number reported for duty since last report	58
Total	112
4. Number discharged	44
5. Number deserted	8
6. Number assigned to duty	5
7. Number now in camp	55
Total	112
8. Deserters from the Army reported for duty	2

I also have the honor further to report that in obedience to an order by telegraph from the Secretary of War I adopt as instruction the inclosed letter from the Secretary to Col. James Chesnut. By invitation of the Governor and Council I attended a consultation on the topics therein embraced. From information derived in that consultation and from other sources, and from my own observation, I conclude that if the four regiments therein named were accepted, and the conscription confined to the rest of the State, I could bring into the field within thirty days over 3,000 men; but that if these regiments are not accepted the entire force under the present order of conscription will not exceed 1,000. The extension of the order to the age of forty-five would bring, perhaps, 2,000. A large number of the persons under forty and forty-five now in these regiments as volunteers will be exempted under the act of Congress. Exemptions will be claimed under conscription which will be waived under volunteering. These four regiments, as they are, will bring 3,000 men into the field. Abstract those under forty and you will reduce them, perhaps, 500. Of these 500 a third or more will, perhaps, be entitled to exemption. I am proceeding with preparations to facilitate the enrollment by obtaining the rolls of the State and extracting the names between thirty-five and forty and forty and forty-five. On the 5th day of this month I will send the enrolling officers to their posts and hope to have every man in camp in twenty days, or on the 1st day of December at farthest. Having but a single company of sixty men at this post to do the entire guard duty over large Government stores, the prison, and the conscripts in camp, I shall be compelled to call on the general commanding for frequent aid in arresting the conscripts in the remote mountainous and the swamp regions of the State. All who are now remaining of the late enrollment are either in the gorges of the mountains or the impenetrable swamps of the lower country. I have the honor to inclose copies of my correspondence with the State authorities on a demand for assistance in the enrollment and arrests. It is proper to state that the authorities most earnestly and promptly tender all reasonable aid in the prosecution of the enrollment. While they yield their organizations from the impracticability of acceding to the propositions of the Secretary, they at once and to the full extent

of their power tender me every aid in carrying out the orders of the Department.

I have the honor to be, your obedient servant,

JNO. S. PRESTON,
Lieut. Col. and Assistant Adjutant-General, Commanding.

[Inclosure No. 1.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., October 25, 1862.

Hon. JAMES CHESNUT,
Chief of Military, South Carolina:

SIR: I have the honor to inform you that in conformity with the proposition submitted by Colonel Elford, the Confederate Government will accept and retain for local defense the four regiments of State troops commanded by Colonels Cash, Elford, Witherspoon, and Ryan with their officers, and will suffer them to be filled to their maximum with men over forty years of age. The men from thirty-five to forty years of age will be withdrawn from those regiments and, together with the conscripts in the seven remaining regiments of State troops, will be placed in the South Carolina regiments which were in service on the 16th of April last. The seven regiments will be disbanded.

Your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

[Inclosure No. 2.]

HEADQUARTERS CAMP OF INSTRUCTION,
Columbia, S. C., October 27, 1862.

His Excellency Governor PICKENS and
THE EXECUTIVE COUNCIL OF SOUTH CAROLINA:

I have the honor to inform you that I have received orders from the Secretary of War to enroll all men between the ages of eighteen and forty years, under the act of Congress approved the —— day of October, 1862. To facilitate this enrollment I respectfully ask that an order be issued by authority of the State requiring all militia officers to make returns to the enrolling officers of the names of all persons liable to conscription under the act cited, and also requiring the militia officers to arrest and deliver to the enrolling officers persons so returned who refuse or delay to report to the enrolling officers. I would further respectfully ask that the sheriffs of the State be required to give all aid in effecting the enrollment and delivering the conscripts to the enrolling officers.

I have the honor to be, very respectfully, your obedient servant,

JOHN S. PRESTON,
Lieut. Col. and Assistant Adjutant-General, Commanding.

[Inclosure No. 3.]

EXECUTIVE COUNCIL CHAMBER,
Columbia, October 31, 1862.

Col. JOHN S. PRESTON,
Commanding Post:

SIR: I have the honor to inform you that upon your application to the Governor and Council, they have instructed the adjutant-general to issue an order requiring militia officers to make returns for enrollment of all persons in their respective beats subject to Confederate

conscription. Orders to the sheriffs to aid in arresting defaulters, &c., have already been issued, and no further order to them is deemed necessary.

I have the honor to be, very respectfully, your obedient servant,

B. F. ARTHUR,
Secretary Executive Council.

Return of the state of the recruiting service.

HEADQUARTERS CAMP OF INSTRUCTION,
Near Richmond, November 1, 1862.

Conscripts on hand at date of last report (October 20)		40
Conscripts received since date of last report		76
		116
Conscripts assigned since last report	11	
Conscripts detailed since last report	2	
Conscripts discharged by order Secretary of War	1	
Conscripts absent with leave	16	
Conscripts absent without leave	7	
Dunkards discharged by paying $500 to Confederate States	8	
Dunkards furloughed until second Monday in December	26	
Conscripts furnished substitutes	1	
		72
Balance		44

CAMP OF INSTRUCTION,
Dublin Depot, November 1, 1862.

Conscripts on hand at date of last report (October 1)		31
Conscripts received since date of last report		76
		107
Conscripts assigned since date of last report	24	
Conscripts detailed since date of last report	4	
Conscripts discharged since date of last report	57	
Conscripts furloughed since date of last report	5	
Conscripts deserted since date of last report	4	
		94
Balance		13

RECAPITULATION.

NOVEMBER 1, 1862.

Conscripts remaining in camp of instruction at Richmond	44
Conscripts remaining in camp of instruction at Dublin Depot	13
Total	57

Respectfully submitted.

J. C. SHIELDS,
Lieutenant-Colonel, Commanding.

General S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, SUBSISTENCE DEPT.,
Richmond, November 3, 1862.

Hon. GEORGE W. RANDOLPH,
Secretary of War:

SIR: In addition to the letters and telegrams already shown you in regard to the difficulty of transportation, particularly from Gordonsville to Richmond, I beg leave to inclose now a telegram from H. B.

Hoomes, commissary agent, and also a letter from Mr. John S. Barbour, president Orange and Alexandria Railroad, to Major Ruffin, for your consideration and action.* I feel it my duty to state in this connection that, notwithstanding the most strenuous efforts, wheat enough is not being received to furnish flour for General Lee's army alone. I am informed by reliable authority that in ordinary years, with an average crop of wheat, up to this time there would be received in Richmond 800,000 to 1,000,000 bushels of wheat, whereas, notwithstanding the high price that it commands, and notwithstanding the aid which has been extended to the farmers by commissary agents throughout the country, there has not been received more than 250,000 to 300,000 bushels. This proves that there is a great scarcity of wheat. This year's crop, it is believed, thoroughout the State is not more than one-fourth an average one, and a considerable portion of the State we cannot draw from at all. Unless, therefore, something is done to afford transportation for all the wheat that can be procured, I do not see anything but failure and ruin to our Army. As much grain as is needed cannot be procured, it is feared, even if this transportation is afforded, and without that transportation is obtained in some way we must break down. I feel it my duty to urge this matter upon your attention. It cannot be considered too deeply, nor the remedy applied with too much promptness. The chances of procuring sufficient supplies are becoming every hour more and more doubtful, and the area of country drawn from smaller and smaller. I am powerless to remedy the evil, and can only lay before you the state of the case for your action. A sufficiency of bags is as great a necessity to secure a supply of flour as anything else. During the last summer the cotton mills throughout the country were written to with a view to secure an ample supply of bags, but this Bureau was requested not to purchase bags by Major Ferguson, of the Quartermaster's Department, who was engaged in the north and would procure them, it was said, for both the Commissary and Quartermaster's Bureaus. To avoid competition between two Government agents this was acquiesced in. Upon application now it seems that not one-tenth of the requisite quantity of bags can be obtained.

I have the honor to be, very respectfully, your obedient servant,

L. B. NORTHROP,

Commissary-General C. S. Army.

CONFEDERATE STATES OF AMERICA, SUBSISTENCE DEPT.,

Richmond, November 3, 1862.

Col. L. B. NORTHROP,

Commissary-General of Subsistence:

SIR: In response to your inquiry as to prospect of subsistence in meat of our armies for the next sixty days, I reply that General Lee's army is drawing very closely on the supplies of fresh beef, and at their present rate of consumption I do not think that there will be more than enough to last them until the 1st of January. The very severe drought of the past summer and early fall leaves the cattle so thin that the same number of bullocks does not go as far as it did last fall, and the scarcity of supply is drawing much younger beasts to

* Not found.

market than came last year. The drain of Virginia has been less complete than it would have been but for the fact that supplies of cattle are being obtained from the Northern Neck and from the opposite shore, then being driven in to escape appropriation by the enemy. But this number is small. The forces south of Richmond to Mobile have been supplied from the low counties of North Carolina and Georgia and Florida. Efforts are now being made to draw all the supplies from North Carolina in anticipation of its occupation by the enemy, but transportation cannot be had. The business of selling and transmitting supplies of the character alluded to, especially through new channels, is new to the people, and they are not expected in any case to furnish a large proportion. Of the supplies of stock in Georgia and Florida I cannot speak accurately, having been taken sick about the time operations were inaugurated, and having had no time since to ascertain what has been done or can be done. But the country through which the cattle must be driven is not a good one to subsist them in in the winter, and the whole line is subject to be broken by the enemy at any point, and cannot be relied on as a source of supply. If cattle can be crossed over the Mississippi from Texas and Louisiana, as they have been heretofore, large numbers of them, it is thought, can be wintered in the corn and pea fields of Northern Mississippi; but the high price of corn evidences a scarcity that will forbid their being driven very far, if it is desired to consume them, and they will not in any event be relied on for the consumption of any part of the army in Virginia.

Whether there will be adequate supplies for the Army of Northwestern Virginia depends very much on the size of that army. The fear of invasion and the waste of the army, never to be sufficiently blamed, have driven out many stock from that section, as is evidenced by the fact that I have seen some cattle from there in this market from eighteen months to two years old, a thing never heard of before. Agents are busily at work draining the southwest, but, as I have just learned (since I began to write this letter), General Echols has fallen back to Dublin, and I presume he will appropriate a considerable part of the scant supply of beef destined for General Lee. Maj. J. F. Cummings is operating with numerous agents in Tennessee, and thinks if he can be supplied with money promptly he can obtain six months' supply there of beef, pork, and bacon. Whether he means for the whole Army or for those under General Bragg's command does not appear, and as he is too much engaged to make a detailed report, I cannot expect to hear for some time. But I presume he means only for that army. But in any event, judging by the past and present experience of the Treasury Department, he will be partially balked by a failure to obtain money promptly, even if we can hold that country long enough to withdraw all its supplies. As to hogs, all are being bought there that can be bought, but the number it is thought will be less than was obtained last year, and there is not an absolute certainty that enough salt can be had to pack all that can be obtained. If it can, the experience of last year warns us that it is unfit for packing to the best advantage, much loss having resulted from using it in its raw state then, and it is in no better condition now. The pork in private hands will not be saved, either, as well or as abundantly, both from the bad quality of the salt and from its great scarcity. If to this estimate of short supply be added the waste committed by the soldiers, and permitted in some corps and perpetrated in others by the generals in command, I think it would be imprudent to estimate

full supplies to January, and a fatal error to rely on full supplies after that time in any quarter.

Very respectfully, your obedient servant,

FRANK G. RUFFIN,
Major and Commissary of Subsistence.

GENERAL ORDERS, No. 82. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 3, 1862.*

I. The following acts of Congress and regulations are published for the information of all concerned:*

(No. 17.)

AN ACT to amend an act entitled "An act to provide further for the public defense," approved April 16, 1862.

The Congress of the Confederate States of America do enact, That the President be and he is hereby authorized to call out and place in the military service of the Confederate States for three years, unless the war should have been sooner ended, all white men, who are residents of the Confederate States, between the ages of thirty-five and forty-five years, at the time the call or calls may be made, and who are not, at such time or times, legally exempted from military service, or such part thereof as, in his judgment, may be necessary to the public defense, such call or calls to be made under the provisions and according to the terms of the act to which this is an amendment; and such authority shall exist in the President during the present war, as to all persons who now are or may hereafter become eighteen years of age; and, when once enrolled, all persons between the ages of eighteen and forty-five shall serve their full time: *Provided*, That if the President, in calling out troops into the service of the Confederate States, shall first call for only a part of the persons between the ages hereinbefore stated, he shall call for those between the ages of thirty-five and any other age less than forty-five: *Provided*, That nothing herein contained shall be understood as repealing or modifying any part of the act to which this is amendatory, except as herein expressly stated: *And provided further*, That those called out under this act, and the act to which this is an amendment, shall be first and immediately ordered to fill to their maximum number the companies, battalions, squadrons and regiments from the respective States at the time the act to further provide for the public defense, approved sixteenth April, one thousand eight hundred and sixty-two, was passed, and the surplus, if any, shall be assigned to organizations formed from each State since the passage of that act, or placed in new organizations to be officered by the State having such residue, according to the laws thereof, or disposed of as now provided by law: *Provided*, That the President is authorized to suspend the execution of this act, or the act to which this is an amendment, in any locality where he may find it impracticable to execute the same, and that in such locality, and during said suspension, the President is authorized to receive troops into the Confederate service, under any of the acts passed by the Confederate Congress prior to the passage of the act to provide further for the public defense, approved sixteenth April, one thousand eight hundred and sixty-two.

Approved September 27, 1862.

(No. 53.)

AN ACT to exempt certain persons from military duty, and to repeal an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862.

The Congress of the Confederate States of America do enact, That all persons who shall be held unfit for military service in the field, by reason of bodily or mental incapacity or imbecility, under rules to be prescribed by the Secretary of War; the Vice President of the Confederate States; the officers, judicial and executive, of

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*For the first act embodied in this order (but here omitted), see "An act to further provide for the public defense," approved April 16, 1862, published in General Orders, No. 30, Adjutant-General's Office, Vol. I, this series, p. 1095.

the Confederate and State governments, including postmasters appointed by the President and confirmed by the Senate, and such clerks in their offices as are allowed by the Postmaster-General, and now employed, and excluding all other postmasters, their assistants and clerks; and except such State officers as the several States may have declared, or may hereafter declare by law to be liable to militia duty; the members of both Houses of the Congress of the Confederate States, and of the Legislatures of the several States, and their respective officers; all clerks now in the offices of the Confederate and State governments authorized by law receiving salaries or fees; all volunteer troops, heretofore raised by any State since the passage of the act entitled "An act further to provide for the public defense," approved April the sixteenth, eighteen hundred and sixty-two, while such troops shall be in active service under State authority: *Provided*, That this exemption shall not apply to any person who was liable to be called into service by virtue of said act of April the sixteenth, eighteen hundred and sixty-two; all pilots and persons engaged in the merchant marine service; the president, superintendents, conductors, treasurer, chief clerk, engineers, managers, station agents, section masters, two expert track hands to each section of eight miles, and mechanics in the active service and employment of railroad companies, not to embrace laborers, porters, and messengers; the president, general superintendent and operators of telegraph companies, the local superintendent and operators of said companies, not to exceed four in number at any locality, but that of the seat of Government of the Confederate States; the president, superintendents, captains, engineers, chief clerk and mechanics in the active service and employment of all companies engaged in river and canal navigation, and all captains of boats and engineers therein employed; one editor of each newspaper now being published, and such employés as the editor or proprietor may certify, upon oath, to be indispensable for conducting the publication; the Public Printer, and those employed to perform the public printing for the Confederate and State governments; every minister of religion authorized to preach according to the rules of his sect and in the regular discharge of ministerial duties, and all persons who have been and now are members of the society of Friends and the association of Dunkards, Nazarenes, and Mennonites, in regular membership in their respective denominations: *Provided*, Members of the society of Friends, Nazarenes, Mennonites, and Dunkards shall furnish substitutes or pay a tax of five hundred dollars each into the public Treasury; all physicians who now are, and for the last five years have been, in the actual practice of their profession; all shoemakers, tanners, blacksmiths, wagon-makers, millers and their engineers, millwrights, skilled and actually employed at their regular vocation in the said trades, habitually engaged in working for the public, and whilst so actually employed: *Provided*, Said persons shall make oath in writing that they are so skilled and actually employed at the time at their regular vocation in one of the above trades, which affidavit shall only be prima facie evidence of the facts therein stated: *Provided, further*, That the exemptions herein granted to persons by reason of their peculiar mechanical or other occupation or employment, not connected with the public service, shall be subject to the condition that the products of the labor of such exempts, or of the companies and establishments with which they are connected, shall be sold and disposed of by the proprietors at prices not exceeding seventy-five per centum upon the cost of production, or within a maximum to be fixed by the Secretary of War, under such regulations as he may prescribe: *And it is further provided*, That if the proprietors of any such manufacturing establishments shall be shown, upon evidence, to be submitted to, and judged of, by the Secretary of War, to have violated, or in any manner evaded the true intent and spirit of the foregoing proviso, the exemptions therein granted shall no longer be extended to them, their superintendents or operatives in said establishments, but they and each and every of them shall be forthwith enrolled under the provisions of this act, and ordered into the Confederate Army, and shall in no event, be again exempted therefrom by reason of said manufacturing establishments or employment therein; all superintendents of public hospitals, lunatic asylums, and the regular physicians, nurses and attendants therein, and the teachers employed in the institutions for the deaf, dumb and blind; in each apothecary store, now established and doing business, one apothecary in good standing, who is a practical apothecary; superintendents and operators in wool and cotton factories, paper mills, and superintendents and managers of wool-carding machines, who may be exempted by the Secretary of War: *Provided*, The profits of such establishments shall not exceed seventy-five per centum upon the cost of production, to be determined upon oath of the parties, subject to the same penalties for violation of the provisions herein contained as are hereinbefore provided in case of other manufacturing and mechanical employments; all presidents and teachers of colleges, acade-

mies, schools and theological seminaries, who have been regularly engaged as such for two years previous to the passage of this act; all artisans, mechanics, and employés in the establishments of the Government for the manufacture of arms, ordnance, ordnance stores, and other munitions of war, saddles, harness and army supplies, who may be certified by the officer in charge thereof, as necessary for such establishments; also, all artisans, mechanics, and employés in the establishments of such persons as are or may be engaged under contracts with the Government in furnishing arms, ordnance, ordnance stores, and other munitions of war: *Provided*, That the chief of the Ordnance Bureau, or some ordnance officer authorized by him for the purpose, shall approve of the number of the operatives required in such establishments; all persons employed in the manufacture of arms or ordnance of any kind by the several States, or by contractors to furnish the same to the several State governments, whom the Governor or secretary of state thereof may certify to be necessary to the same; all persons engaged in the construction of ships, gun-boats, engines, sails, or other articles necessary to the public defense, under the direction of the Secretary of the Navy; all superintendents, managers, mechanics and miners employed in the production and manufacture of salt to the extent of twenty bushels per day, and of lead and iron, and all persons engaged in burning coke for smelting and manufacture of iron, regular miners in coal mines, and all colliers engaged in making charcoal for making pig and bar iron, not to embrace laborers, messengers, wagoners, and servants, unless employed at works conducted under the authority and by the officers or agents of a State, or in works employed in the production of iron for the Confederate States; one male citizen for every five hundred head of cattle, for every two hundred and fifty head of horses or mules, and one shepherd for every five hundred head of sheep, of such persons as are engaged exclusively in raising stock: *Provided*, That there is no white male adult not liable to do military duty engaged with such person in raising said stock; to secure the proper police of the country, one person, either as agent, owner or overseer on each plantation on which one white person is required to be kept by the laws or ordinances of any State, and on which there is no white male adult not liable to do military service, and in States having no such law, one person as agent, owner or overseer, on each plantation of twenty negroes, and on which there is no white male adult not liable to military service: *And furthermore*, For additional police for every twenty negroes on two or more plantations, within five miles of each other, and each having less than twenty negroes, and on which there is no white male adult not liable to military duty, one person, being the oldest of the owners or overseers on such plantations; and such other persons as the President shall be satisfied, on account of justice, equity or necessity, ought to be exempted, are hereby exempted from military service in the armies of the Confederate States; and also a regiment raised under and by authority of the State of Texas, for frontier defense, now in the service of said State, while in such service: *Provided, further*, That the exemptions herein above enumerated and granted hereby shall only continue whilst the persons exempted are actually engaged in their respective pursuits or occupations.

SEC. 2. *Be it further enacted*, That the act entitled "An act to exempt certain persons from enrollment for service in the armies of the Confederate States," approved the twenty-first of April, eighteen hundred and sixty-two, is hereby repealed.

Approved October 11, 1862.

(No. 42.)

AN ACT to amend an act entitled "An act to further provide for the public defense," approved 16th April, 1862, and the act to amend the same, approved September 27th, 1862.

The Congress of the Confederate States of America do enact, That all persons subject to enrollment for military service may be enrolled under instructions from the War Department, and reported by the enrolling officer wherever found, whether within the State or county of their residence or not; and when so enrolled shall be subject to the provisions of law as fully as if enrolled within the county and State of which they may be residents: *Provided*, That this act shall not extend to any member of a military organization under any State law while he remains in actual service within the limits of his State: *And provided, further*, That the President is authorized to suspend the execution of this act as regards the residents of any locality where he may find it impracticable to execute the act entitled "An act to further provide for the public defense," approved April sixteenth, eighteen hundred and sixty-two, and the act to amend the last-mentioned act, approved September twenty-seventh, eighteen hundred and sixty-two.

Approved October 8, 1862.

(No. 49.)

AN ACT to establish places of rendezvous for the examination of enrolled men.

The Congress of the Confederate States of America do enact, That there shall be established in each county, parish or district, and in any city in a county, parish or district in the several States, a place of rendezvous for the persons in said county, district, parish or city, enrolled for military duty in the field, who shall be there examined by one or more surgeons, to be employed by the Government, to be assigned to that duty by the President on a day of which ten days' notice shall be given by said surgeon, and from day to day next, thereafter, until all who shall be in attendance for the purpose of examination shall have been examined; and the decision of said surgeons, under regulations to be established by the Secretary of War, as to the physical and mental capacity of any such person for military duty in the field, shall be final; and those only thus ascertained to be fit for military duty in the field shall be required to assemble at camps of instruction.

SEC. 2. There shall be assigned to each Congressional district in the several States, three surgeons, who shall constitute a board of examination in such district for the purpose specified in the foregoing section, any one or more of whom may act at any place of rendezvous in said district.

SEC. 3. When it shall appear to any surgeon attending such place of rendezvous by the certificate of a respectable physician resident in that county, district, parish, or city in a county, parish or district, that any enrolled person therein is unable to attend on account of sickness, it shall be the duty of said surgeon to file such certificate with the commandant of the nearest camp of instruction; and if the person named therein, shall not within a reasonable time report himself for examination at said camp of instruction, or his continued disability certified by the certificate of a respectable physician of his county, city, district or parish, he shall be held liable as absent without leave of his commanding officer.

Approved October 11, 1862.

II. Commandants of conscripts and camps of instruction.

1. An officer styled the commandant of conscripts will be appointed for each State, who will be charged with the supervision of the enrollment and disposition of conscripts. He will establish one or more camps, in which conscripts will be assembled and instructed, and may recommend for appointment a surgeon, a quartermaster, a commissary, and a requisite number of drill-masters for each camp. If more than one camp be established, he may also recommend a commandant for each camp not under his own immediate command.

2. A hospital will be established, and huts for winter quarters constructed at each camp; and all conscripts assembled at the camps will be promptly vaccinated, if it has not already been done.

3. The commandant of conscripts will require from each camp a report on the first Monday in every month, showing the expenses of the preceding month, the number of conscripts in the camp, the number received and sent away during the preceding month, the regiments, battalions, or companies to which they were sent, the number transferred to the Navy, the number of sick, the nature of their diseases, and the number of deaths. He will make a consolidated monthly report to the Adjutant and Inspector General of the Army.

4. The commandants of conscripts east of the Mississippi River will receive orders only from the War Department, and will not be interfered with by generals commanding departments or armies in the field. West of the Mississippi they will report to and receive instructions from the commanding general of the Trans-Mississippi Department, who will require them to conform as nearly as possible to this order and to the regulations prescribed for commandants east of the Mississippi. He will make a consolidated monthly report to the Adjutant and Inspector General of the Army.

5. The commandants of all regiments, battalions, squadrons, or unattached companies which were in service on the 16th of April, 1862,

desiring to receive conscripts may transmit, through the Adjutant and Inspector General of the Army, statements of the strength of their commands to the commandant of conscripts in their respective States, who, unless otherwise ordered, will, as far as practicable, distribute the conscripts of the State among its regiments, battalions, and companies thereof, in proportion to their respective deficiencies. He will consult the wishes of the conscripts in assigning them to companies or regiments so far as may be consistent with their proper distribution, and will not separate men from the same county, district, or parish if it can be avoided. The same rule will be observed by the commandants of corps in assigning conscripts to companies.

6. Conscripts for cavalry will only be taken from those who furnish their own horses. No conscripts can be assigned to companies mustered into service since the 16th of April, 1862.

7. The commandants of conscripts are specially enjoined to pay unceasing attention to the health, comfort, and instruction of the conscripts under their command, and to bear in mind that the efficiency of the Army and the safety of the country depend in a great measure upon their faithful discharge of these duties.

III. Enrollment of conscripts.

All white male residents of the Confederate States between the ages of eighteen and forty, not exempted by act of Congress or not already in the service, will be enrolled. Persons liable to enrollment may be enrolled wherever they may be found, as provided by the act No. 42, herewith published.

IV. Undomiciled foreigners.

1. Foreigners not domiciled in the Confederate States are not liable to enrollment. Domicile in the Confederate States consists in residence with intention permanently to remain in those States and to abandon domicile elsewhere. Long residence, of itself, does not constitute domicile. A person may acquire domicile in less than one year, and he may not acquire it in twenty years' residence. If there be a determination to return to the native country and to retain the domicile there, no length of residence can confer domicile. The principal evidences of intention to remain are the declarations of the party, the exercise of rights of citizenship, marriage, and the acquisition of real estate; but the intention may be gathered from other facts.

2. The enrollment will be made by the enrolling officers of the State, if the Governor thereof will permit them to act under the orders of the commandant of conscripts; an application will be made by the said commandants for such permission. If it be declined, the commandant will report the fact to the Adjutant and Inspector General and ask for the employment of Confederate officers for the purpose of making enrollments. If the Governor consent, but the enrolling officers of the State be found unable or unwilling to discharge their duty efficiently, the like application will be made to the Adjutant and Inspector General; and in such event a commissioned officer for each Congressional district and a non-commissioned officer or private for each county, city, town, district, or parish will be assigned to such duty. In making such assignment officers and men disabled by wounds from active duty in the field and acquainted in the localities in which they are required to serve will, as far as practicable, be selected. The commissioned officer in each district will superintend the enrollments and collection of conscripts therein. Non-commissioned officers and privates while so employed will be allowed pay as extra-duty men. The enrolling officers of the States, if em-

ployed, will be paid the compensation allowed by the State laws for similar services. The commanding generals of armies in the field will order such commissioned officers, non-commissioned officers, and privates as they think qualified to be enrolling officers or drill officers, and who are unfit for active service in the field, to report to the commandant of conscripts in their respective States, who will order such of them to duty as may be required, and report the remainder by letter to the commanding general as not needed for such service.

3. Enrollments for particular regiments, squadrons, battalions, and companies in service on the 16th of April, 1862, may be made by officers detailed for the purpose by the commanding general of a department or an army in the field; but such officers must report to the commandant of conscripts in their respective States, receive instructions from him, and assemble their conscripts at such point as he may designate. Conscripts enrolled without reporting to such commandant will be deemed to be enrolled for general service, and shall at any time be transferred on their own application, or on the application of commandants of corps needing conscripts, to such corps.

V. Exemptions.

The exemption act will be construed prospectively, and does not authorize the discharge of any one enrolled or in service prior to the 11th day of October, 1862.

VI. Bodily and mental infirmities.

1. Question of bodily and mental incapacity will be decided by surgeons employed for the purpose, by virtue of the act of Congress approved on the 11th of October, 1862. Three surgeons of each Congressional district will be recommended by the commandants of conscripts to the Adjutant and Inspector General for employment under the foregoing act, and the said commandants will establish in each county, city, parish, or district a place of rendezvous for the examination of conscripts enrolled therein.

2. The three surgeons employed in each Congressional district will constitute a board of examination for the district, and one or more of them may act at any place of rendezvous therein. They shall fix days for the examination of conscripts in each county, city, parish, or district, and give at least ten days' notice thereof by publication in one or more newspapers circulating in the Congressional district and by notice posted at the principal places of public resort.

3. The enrolling officer for the county, city, parish, or district shall attend at such examinations, and enroll and send to the camp of instruction such persons as are examined and found by the surgeon to be incapable of bearing arms; the standard of bodily capacity shall be that established by General Orders, No. 58, modified by the omission of the third paragraph, which authorized the enrollment of persons not equal to all military duty. No person will be enrolled as a conscript who is not capable of bearing arms.

4. Persons deemed incapable of bearing arms shall be reported by the examining surgeon to the Board of Examination, who shall determine the questions of exemption and grant certificates thereof. The certificates shall specify whether the incapacity is temporary or permanent; and if permanent the party shall be exempt from future examination, unless specially ordered by the Board. So soon as the examining board shall be organized in any Congressional district and shall enter upon the discharge of their duties, no other mode of examination for persons in that district will be pursued, and the decision of the Examining Board will be deemed final.

5. The fact that a person has been discharged from service for physical disability or other cause does not of itself exempt from enrollment as a conscript.

6. If any enrolled person is unable to attend at the rendezvous on account of sickness he will send to the examining surgeon a certificate specifying the cause of absence and its probable duration from some respectable physician resident in the county, city, parish, or district in which the rendezvous is situated. The examining surgeon shall send the certificate to the commandant of the nearest camp of instruction, and if the person mentioned therein shall not report himself for examination at the said camp within a reasonable period, or send to the commandant of the camp a renewal of the certificate showing his continued disability, he shall be deemed absent without leave.

7. A compensation of $4 per diem while actually employed will be allowed to each of the examining surgeons, and will be paid on their certified account by the quartermaster of the nearest camp of instruction.

VII. Friends, Dunkards, Nazarenes, and Mennonites.

All persons of the above denominations in regular membership therein on the 11th day of October, 1862, shall be exempt from enrollment on furnishing a substitute, or on presenting to the enrolling officer a receipt from a bonded quartermaster for the tax of $500 imposed by act of Congress and an affidavit by the bishop, presiding elder, or other officer whose duty it is to preserve the records of membership in the denomination to which the party belongs, setting forth distinctly the fact that the party on the 11th day of October, 1862, was in regular membership with such denomination. The affidavit must be taken and certified by a justice of the peace or other officer appointed by the law of his State to administer oaths, and his authority to administer oaths must be certified by the clerk of a court of record under the seal of the court. All assistant quartermasters to whom the said tax is tendered will receive and receipt for it, and pay the same into the Treasury of the Confederate States without unreasonable delay. The enrolling officer will receive the receipt and forward it to the commandant of conscripts, by whom it will be forwarded to the Quartermaster-General, who will charge the assistant quartermaster with the amount received by him.

VIII. Provision against extortion.

1. When application for exemption is made by any shoemaker, tanner, blacksmith, wagon-maker, miller, mill engineer, or millwright not in the employment of any company or establishment, but working for himself, the party seeking exemption shall state in writing under oath that he is skilled and actually employed in his said trade; that he is habitually engaged in working for the public; that the products of his labor, while exempt from military service, shall not be sold, exchanged, or bartered for a price exceeding the cost of production and 75 per cent. profit thereon, and that he will not by any arrangement, shift, or contrivance evade the law or receive a greater price or reward than it allows.

2. Where application is made to exempt superintendents and operatives in wool and cotton factories and paper mills, and superintendents and managers of wool-carding machines, shoemakers, tanners, blacksmiths, wagon-makers, millers, mill engineers, or millwrights not working for themselves, but in the employment of some company or establishment, the president or some director, if the company be incorporative; if not, the proprietor of the business, or

if there be a firm, some partner therein, shall make oath in writing that the said superintendents, operatives, managers, or mechanics, as the case may be, are skilled and actually employed in their said vocations; that they are habitually working for the public; that they are absolutely necessary for the successful prosecution of the business of the concern; that the products thereof shall not be sold or exchanged or bartered during the said exemption for a price exceeding the cost of production and 75 per cent. profit thereon; that no shift, contrivance, or arrangement shall be made to evade the law or to secure a larger return or profit than it allows, and that exemption is not sought for a larger number of persons than is absolutely necessary for the successful prosecution of the business of the concern.

3. The foregoing affidavits shall be made before some justice of the peace or other person authorized by law to administer oaths; and if such justice or other person be not personally known to the enrolling officer to be what he purports to be, his official character and his right to administer oaths must be certified by the clerk of some court of record, under the seal of his court. The affidavits shall be returned to the commandant of conscripts, and exemptions shall be granted by the enrolling officer. If, however, he suspect false swearing or mistake, he shall refuse the exemption and refer the case, after first enrolling the names of the parties in question, to the commandant of conscripts, who shall dispose of it. If at any time the enrolling officer have cause to suspect false swearing or mistake in the foregoing affidavits, he shall report the fact to the commandant of conscripts, and if the said commandant be satisfied after due investigation that a larger number of persons is designedly employed than is necessary, or that a larger profit than the law allows is received, either directly or indirectly, he shall order the enrollment of the parties exempted upon the said affidavits.

IX. Details.

Citizen employés and mechanics who are employed in establishments of the Government or by contractors with the Government in the manufacture of arms, ordnance, ordnance stores, and other munitions of war, saddles, harness, and army supplies will be enrolled and returned to their work, provided the chief of the Ordnance Bureau, or some ordnance officer authorized by him for the purpose, shall certify that the number of operatives required by the officer in charge of such establishment or by such contractor for Government work is reasonable and not excessive. Such certificate will be presented to the enrolling officer, who will thereupon make the detail of the men specified for a period not exceeding sixty days and return the certificate to the commandant of conscripts. At the expiration of such detail the officer in charge of the Government shop or the contractor in whose employment said conscripts are shall cause said certificates to be renewed or return the conscripts to the nearest camp of instruction. If the certificate be not renewed or the conscripts be not returned, no other detail shall be granted to such establishment or contractor. In all cases of details for contractors the party requesting the detail shall make affidavit that the persons so detailed will not be employed on any other than Government work, which affidavit shall be returned to the commandant of conscripts; and if it be found that at any time such detailed conscripts are employed by said contractors upon work for private individuals, the detail shall be canceled by the commandant of conscripts.

Paragraph I, General Orders, No. 50, current series, is hereby revoked.

X. To whom applications for exemption must be addressed.

Applications for exemption must in all cases be made to the enrolling officer, from whose decision an appeal may be taken to the commandant of conscripts. The Department will not consider the application until it has been referred by the latter officer.

XI. Substitutes.

1. When a person claims exemption on the ground that he has put a substitute in service, he must exhibit to the enrolling officer a discharge from some company, signed by the commanding officer of the regiment or command to which the said company belongs, or then belonged (see General Orders, No. 26), or an exemption signed by the commandant of conscripts; and if the said discharge or exemption do not show that it was granted in consideration of a substitute having been furnished, such fact must be certified in writing by the commanding officer of the regiment or command to which the company belongs or by the commandant of conscripts, as the case may be. But in all cases arising within thirty days from the date of this order the enrolling officer may grant the exemption upon satisfactory proof that the party furnished a substitute who was actually received into the service of the Confederate States for three years or the war, and the substitute is not liable to military service. Such exemption may at any time be canceled if fraud or mistake is discovered.

2. Paragraph II, General Orders, No. 29, current series, is hereby revoked. No person under eighteen years of age or not domiciled in the Confederate States, or not of good moral character, or who is liable under the existing order to enrollment as a conscript shall be received as a substitute. And in all cases in which a substitute becomes subject to military service the exemption of the principal, by reason of the substitution, shall expire. Any person subject to enrollment who desires to furnish a substitute may, at any time before enrollment or before he is assigned to a company and sent from the camp of instruction, present a substitute at such camp; and if the substitute be capable of bearing arms and be of good moral character and not within the prohibited classes he shall be received, and the principal shall be exempt from military service.

XII. Volunteering.

All persons liable to conscription may before enrollment volunteer in companies in service on the 16th of April, 1862, but after enrollment they cannot volunteer, nor can they at any time volunteer in companies received into service since the 16th of April, 1862.

XIII. Miscellaneous.

1. All impressments of men by regimental, battalion, or company commanders, under any pretense whatever, are prohibited, it being the design of the Department to supply the Army exclusively through the officers appointed by this act.

2. All the laws and regulations applicable to deserters shall be applied to such conscripts as fail to repair to the place of rendezvous for enrollment, or who shall desert after enrollment.

3. All the agencies employed for the apprehension and confinement of deserters, and their transportation to the commands of their respective commanders, shall be applicable to persons liable to duty as conscripts who shall fail to repair to the place of rendezvous after the publication of the call.

By order:

S. COOPER,
Adjutant and Inspector General.

JACKSON, *November 3, 1862.*

Lieut. Gen. J. C. PEMBERTON,
Headquarters, Jackson, Miss.:

SIR: I have learned to my utter surprise that the cargoes of the schooners Marquez and Confidence have been released by other than military authority and sold by the owner, who has received his money. I also learn that parties claiming to be Government officers have granted written permits and made agreements with parties to trade between our lines and New Orleans, and some of the vessels lately seized have been acting under that authority. Without assuming to judge whether or not these clearly unlawful acts were justified by the exigencies of the case, it is quite clear that parties have assumed powers and authority which should only have been exercised by the commanding general, and I find this to be the cause of great complaint among our best citizens. In order to ascertain the legal status of these seizures I have consulted Hon. W. P. Harris and Col. D. C. Glenn, distinguished lawyers and prominent citizens of Mississippi. They are clear on all these points, viz: All vessels trading under enemy's license or bringing cargoes from ports of enemy are liable to capture generally, even after they enter our ports; the goods and vessels liable to condemnation as prize of war; neutrals not exempt if concerned in bringing cargoes from enemy's ports. Confederate vessels owned by citizens are liable to capture. The fact that they came from enemy's port with goods sufficient to justify.

I leave for Camp Moore this morning, and leave this for your consideration until a further investigation will enable me to make an official report. It does seem to me that to more effectually correct and develop the knowledge of many irregularities in this department you will have to reorganize with officers of your own selection.

Very respectfully,

F. H. HATCH.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, November 5, 1862.

Col. L. B. NORTHROP,
Commissary-General:

SIR: In reply to letter of 3d instant, you are respectfully informed that the Department is now engaged in selecting a superintendent of railroad transportation to whose supervision questions of the kind presented by you will be committed.

Your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

HEADQUARTERS CAMP OF INSTRUCTION,
Decatur, Ga., November 6, 1862.

Hon. GEORGE W. RANDOLPH,
Secretary of War, Richmond:

SIR: I have the honor to transmit herewith a copy of a communication received from the adjutant and inspector general of this State, and also a copy of my reply to the same. Having seen the order of General Cooper, as published in the papers of Richmond and generally

copied by the papers in this State, I issued orders to the enrolling officers of the several Congressional districts on the 5th instant (the day on which I received your communication from Colonel Wayne) to commence the enrollment of persons subject to conscription between the ages of eighteen and forty years. This order was immediately countermanded upon the receipt of the communication from Colonel Wayne and before any enrollments had taken place in pursuance of it. Your telegram in reference to foreigners has just been received and directions not to enroll them until further orders have been sent to my assistants.

Very respectfully, your obedient servant,

JNO. B. WEEMS,
Lieutenant-Colonel, Commanding.

[Inclosure No. 1.]

STATE OF GEORGIA, ADJT. AND INSP. GENERAL'S OFFICE,
Milledgeville, November 1, 1862.

Lieut. Col. JOHN B. WEEMS, Provisional Army,
Enrolling Officer for Georgia, Atlanta:

COLONEL: I am instructed by the Governor to inquire if you have received orders from the War Department at Richmond to conscript men in this State between the ages of thirty-five and forty. Having seen in the papers that such orders had been issued by the Secretary of War, the Governor addressed a letter to the President on the subject, but receiving no reply from him he directs me to obtain the desired information from you, and at the same time to notify you that if such orders have been received by you he cannot permit them to be executed in the State until the meeting of the Legislature on the 6th instant, when the matter will be submitted to that body for its action.

Very respectfully, your obedient servant,

HENRY C. WAYNE,
Adjutant and Inspector General.

[Inclosure No. 2.]

HEADQUARTERS CAMP OF INSTRUCTION,
Decatur, Ga., November 6, 1862.

HENRY C. WAYNE,
Adjt. and Insp. Gen. of Georgia, Milledgeville:

SIR: I received by last night's mail your communication under date of the 1st instant, informing me that you had been instructed by Governor Brown to inquire of me if I had received orders from the Department of War at Richmond to conscript men in this State between the ages of thirty-five and forty, and also to notify me that if such orders had been issued he would not permit them to be executed in this State until the meeting of the Legislature on the 6th instant. In reply I have only to say that Governor Brown having made application to His Excellency President Davis for the desired information and (as you state) failed to receive any reply, I most respectfully decline an answer to his inquiries.

Very respectfully, your obedient servant,

JNO. B. WEEMS,
Lieutenant-Colonel, Commanding.

HEADQUARTERS CAMP OF INSTRUCTION,
Near Richmond, November 6, 1862.

General S. COOPER,
Adjutant and Inspector General:

GENERAL: Accompanying my report, herewith inclosed, I have the honor to submit the following statement: The report only gives the operations of this and the camp of instruction at Dublin Depot. The counties of the Valley have been nearly drained of conscripts by officers sent for the purpose by Major-General Jackson, and the men never accounted for to me, with the exception of those reported by Col. M. G. Harman, Fifty-second Virginia Regiment, enrolling officer at Staunton. The same is the case with all the counties within the influence of Major-General Loring's command. Undoubtedly a very large number of conscripts have been collected and sent to the armies of the Valley and Southwestern Virginia who do not appear upon my report, which is chiefly confined to the eastern portion of the State. The discrepancy between the "total number enrolled as liable to duty" and the total number actually received into the camps of instruction is due to the fact that a great many of the men fail to report at the time and place appointed, and others desert en route. The enrolling officers, as a general thing not being provided with competent guards, have not the means of preventing this, but many of these men subsequently join volunteer companies already in the service, and should be properly accounted for to me by the officers receiving them. The number of desertions from this camp have been about 140 up to this time; four-fifths of these have been substitutes deserting within twenty-four hours of their being received as such. I have endeavored in every way to protect the Government in this matter of substitutes, even to retaining the money until they are assigned, but with no success. Either some example should be made of them or the principal be in some manner held responsible. I should be pleased to receive any suggestions or instructions concerning this subject from the Department. A majority of the enrolling officers have failed or not deemed it necessary to report to me the number of deserters, stragglers, &c., arrested by them and returned to their respective regiments. I am confident the number so arrested is very large, nearly equaling the conscripts, from the verbal statements of these officers, and it should be credited to the recruiting conscript service. I shall instruct the officers hereafter to make their reports embrace this class as well as the conscripts. At the beginning of the conscript service I was mainly dependent upon the State officers for purposes of enrollment, but subsequently received the services of many regular C. S. officers. Nine out of ten State officers and a large number of C. S. officers proving inefficient, have been from time to time relieved. Now that the act has been extended to embrace all persons between eighteen and forty, I respectfully request that I may be permitted to select from the regular service such officers as I know will render efficient service in enrolling and reporting the conscripts promptly into camp. In this connection I have already brought to your attention the names of Major Cabell, Captain McPhail, and one or two others. I propose to assign a superior officer to each Congressional district, who will have entire charge of the business in his district, receiving the reports of subordinate officers in the different counties, and forwarding the conscripts as enrolled to the nearest camp of instruction. He will also

have control of the expenditures of the subordinate officers, and thus effect a great saving to the public Treasury, as he will be required to certify to the justness of all accounts before they are submitted to this office. I hope it will be the pleasure of the Department to accept my suggestion in this matter, as it is my earnest desire to see the act carried out in the most expeditious and effective manner, and at the same time with the very smallest cost to the Government.

I am, general, very respectfully,

J. C. SHIELDS,
Lieutenant-Colonel, Commanding.

[Inclosure.]

Report of progress made in the execution of the conscript law in Virginia from September 1 to November 1, 1862:

Summary of returns of enrolling officers.

Whole number of conscripts enrolled	4,459
Whole number of conscripts exempt, discharged, and detailed	2,183
Total enrolled as liable to duty	2,276

Summary of number of conscripts reported at camps of instruction.

Whole number of conscripts received for duty at camp of instruction at Richmond	765
Whole number of conscripts discharged by surgeon at camp of instruction at Richmond	386
	1,151
Whole number of conscripts received at camp of instruction at Dublin Depot	162
Total reported	1,313

Respectfully submitted.

J. C. SHIELDS,
Lieutenant-Colonel, Commanding.

General S. COOPER,
Adjutant and Inspector General.

COLLECTOR'S OFFICE, DISTRICT OF MISSISSIPPI,
Tangipahoa, November 7, 1862.

Lieutenant-General PEMBERTON,
Headquarters, Jackson, Miss.:

SIR: I have just learned from Capt. J. G. Bushwood that you have ordered the release of the schooner Osceola, seized by him as an officer of the Treasury Department for violation of the law prohibiting intercourse with the enemy. In this case I have instructed Captain Bushwood to conform to your order, but I have respectfully to submit that if such seizure was legal (and of which there can be no doubt), that if military exigencies require the release (and of which exigency it is not my province in the slightest degree to question), that such requisition for release should be made upon this office, and I cannot doubt would have been so made if you had been informed of such seizure. For your information and consideration in future cases I inclose herewith a list of vessels seized by authority and now in custody of this

department. The knowledge of the release of the Osceola has already brought two applications for the release of vessels occupying similar status, which I consider I have no power to release until authorized to do so by the Honorable the Secretary of the Treasury, to whom I have submitted this matter for his instructions by telegraph this day.

With your knowledge of the law it is hardly necessary to observe that even if trading with the enemy in extraordinary cases is assumed by the military authority, the revenue laws are subjected alone to the authority of Congress, and I am sure you will agree with me in adding that entire harmony and co-operation between the War and Treasury Departments, so essential to the public service and interests, is most likely to be secured by a frank understanding of their respective rights and obligations.

Very respectfully, your obedient servant,

F. H. HATCH,
Collector.

[Inclosure.]

List of vessels seized and under custody at this date.

PONCHATOULA, *November 5, 1862.*

F. Marquez, jr., Confidence, Descada, Livingston with cargo, Fruitier with cargo, Victoria with cargo, Arundel with cargo, Ann McGinn with cargo, General Worth, Sarah Jane, Henry McGinn, Fontainebleau, Shepherdess, Barbe Silvery, Eclair, Osceola, Bone, Emma Emilia, Johnson, Georgia, Victory, Carolina, Eclard, Mabel, Jenny Swaine, Locust Tree, barge Georgia, Ark, Blum, Joinville—seized for coming from the enemy with enemy's papers.

The first two were released by Lieutenant-Colonel Broadwell, the second by order of General Ruggles. I have ordered the release of the Georgia on the deposit of her value, $2,000.

F. H. HATCH,
Collector.

RICHMOND, *November 7, 1862.*

Hon. GEORGE W. RANDOLPH,
Secretary of War:

SIR: The commercial firm of Charles A. Barriere & Brother, of New Orleans, composed of Charles A. Barriere, a resident of Paris, France, and François G. Barriere, a resident of New Orleans, both French citizens, proposes to furnish to the Confederate Government 100,000 sacks of salt, to be delivered, say, 10,000 sacks at Ponchatoula landing, 20,000 sacks at Natchez landing, and 70,000 sacks at Vicksburg landing, or all at the latter place. The salt to be furnished at cost and expenses incurred in transportation and delivery and difference of exchange. The proper vouchers of cost and expenses will be furnished to the agent of the Government who is to receive and pay for the salt as delivered.

The Confederate Government will grant permission to Charles A. Barriere & Brother to purchase for each 10,000 sacks of salt delivered 1,000 bales of cotton from planters or other persons having the same for sale, which cotton is to be shipped on board European vessels in the Mississippi River within the Confederate lines, say not below Donaldsonville, the vessel's cargo not to be overhauled or touch at

New Orleans or any other port in possession of the enemy, but to proceed direct to a French port.

The Confederate Government obligates itself to cause the steamboats, vessels, and cargoes of salt and cotton to be protected within its lines and not to be unnecessarily detained.

The commercial firm of Charles A. Barriere & Brother will furnish the certificates of the French consul of the clearances of the vessels to a French port and give guarantee of the faithful execution of this proposition.

Respectfully,

C. A. BARRIERE & BROTHER,
Per CHARLES JONES, *Agent.*

RICHMOND, *November 7, 1862.*

Hon. GEORGE W. RANDOLPH,
Secretary of War:

SIR: The commercial firm of Charles A. Barriere & Brother, of New Orleans, composed of Charles A. Barriere, a resident of Paris, France, and François G. Barriere, a resident of New Orleans, both being French citizens, proposes to furnish the Confederate Government with the following list of articles, to wit: One million pounds, more or less, of bacon or pork; 100,000 pairs of blankets; 100,000 pairs of shoes and boots; 100,000 yards of flannel. The above list will be furnished at cost and actual expenses of transportation and delivery, adding the difference in exchange. An invoice of the articles and vouchers of cost will be furnished. The articles to be delivered either at Ponchatoula landing or Port Hudson landing, or at the Vicksburg landing, and are to be immediately received by a Government agent at the landing, and paid for.

In consideration of receiving the articles at cost and charges, the Confederate Government allows Charles A. Barriere & Brother the privilege of purchasing, with the proceeds of the sale to them (the Government), cotton from any planter or person having the same for sale.

The Confederate Government obligates itself to protect the boats and vessels transporting the articles within its lines; the cotton to be shipped on board European vessels, at any point between Donaldsonville and Vicksburg, or may be transported by steam-boats to the vessels; the vessels will be allowed to be towed by steam-boats up and down the river, and when the cargo is on board the vessels will not be allowed to touch at New Orleans or any port in the possession of the enemy, nor will the cargo be overhauled, but to proceed directly to a French port.

Charles A. Barriere & Brother will furnish the certificate of the French consul as to the clearance of the vessels, as well as procure his guarantee of protection, and that they go to a French port. We will further contract to furnish 50,000 barrels of flour and 10,000 sacks of coffee, to be delivered at the above designated points. If desirable by the Government, we will extend the contract of the above deliveries so as to meet its wants to a much greater degree.

Respectfully,

C. A. BARRIERE & BROTHER,
Per CHARLES JONES, *Agent.*

[First indorsement.]

NOVEMBER 13, 1862.

Respectfully submitted to the President for his consideration. The parties are not known to the Secretary.

G. W. RANDOLPH,
Secretary of War.

[Second indorsement.]

NOVEMBER 14, 1862.

The objection to this is the proposed shipment to a port in the possession of the enemy. If the supplies can be obtained free from this objection it should be done. The letter of the Governor of Mississippi, referred some days since, would indicate that supplies might be obtained through a channel not subject to the above objection. As a last resort, we might be justified in departing from the declared policy in regard to exports, but the necessity should be absolute.

J. D.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, November 8, 1862.

His Excellency J. G. SHORTER,
Governor of Alabama, Montgomery, Ala.:

SIR: I have received your letter of the 31st ultimo* and have the honor to say in reply that the eight car-loads of salt per day transported for Stuart, Buchanan & Co., of Saltville, are under their contract for the supply of the Army. The Confederate Government has never attempted to exercise any control over the railroads of the country further than to claim a preference in the transportation of munitions and supplies for the Army. Conscious, however, that the Government transportation interferes with the commerce of the country, and desirous of avoiding such interference, the Department is now engaged in selecting a superintendent of railroad transportation, who will be charged with the duty of regulating it so far as the power of the Government extends. The Department will most cheerfully do what it can to facilitate the transportation of salt for the Southern States, and will be especially happy to aid Your Excellency in supplying the people of your patriotic State.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., November 10, 1862.

His Excellency Governor Z. B. VANCE,
Raleigh, N. C.:

SIR: In consequence of threatened attacks on our railroad connections in the eastern portions of North Carolina and Virginia, and our inability at present to withdraw from the Army of Northern Virginia re-enforcements sufficiently large to secure those connections, it is considered very important to complete the Danville and Greensborough connection as speedily as possible. The Piedmont Railroad Company is now working 800 hands on the road and proposes to hire about

*See Series I, Vol. LII, Part II, p. 384.

400 more. This is all that can probably be obtained by the company, but is not more than half the number that can be worked to advantage. I shall give the company every assistance in my power by supplying at cost rations, tools, horses, carts, &c., and under an act of the General Assembly of Virginia I can draft hands for the portion of the road in the State. If Your Excellency can supply hands for the North Carolina part of the road I must ask you to do so, and to inform me when and where they can be delivered to the company. Upon conference with the engineer of the company it has been determined to add 1,900 hands to the force now employed, and to apportion them as follows: Virginia, 650 laborers and 100 mules, and North Carolina, 1,250 laborers and 500 mules. I am informed that the planters of the Roanoke have hands, carts, and mules. If you can prevail upon them to hire them to the company it will enable us to complete the work by March 1. The owners of the hands drafted under the Virginia act receive $16 per month, and are taken under the ordinary responsibilities of hirers, except that they are to be paid for if they escape to the enemy. The distance of the road from the scene of operations and the presence of a mounted patrol, which I shall organize to operate along the line, will render the latter risk very small. Can you recommend a suitable person to raise the mounted company for local service as guards and patrols? He should be somewhat acquainted with cavalry service. The company will be composed of non-conscripts and be mustered into the service for six months.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,
Secretary of War

HEADQUARTERS CAMP OF INSTRUCTION,
Columbia, S. C., November 11, 1862.

General S. COOPER,
Adjutant and Inspector General, Richmond, Va.:

GENERAL: In pursuance of General Orders, No. 64, paragraph IV, I have the honor to report:

1. Conscripts in camp at last report	55
2. Reported for duty since last report	41
Total	96
3. Discharged (rejected by surgeon)	13
4. Deserters	3
5. Assigned to duty	23
6. Now in camp	57
Total	96

The acceptance by the President of eight regiments recently organized in this State will for the present lighten the duties of this office and render unnecessary the appointment of more than five additional enrolling officers for the entire State. If officers of the line or staff are not detailed for this service, and appointments of citizens are to be made, I trust the Department will confide those appointments to the commandant of the camp of instruction. I venture the suggestion, because I hear of recommendations of most unworthy persons being sent to the Secretary of War. I know every man in the State who is fitted for the duties, and can select the best. The drill-masters now

attached to the camp, the enrolling officers suggested by the Secretary and five others will be amply sufficient for the duty. I would venture most respectfully to suggest that there are many officers of the line who are in feeble health, but competent to enrolling service, who might be detached and thus save the necessity of any appointments. One such the Secretary recommended, and he is now engaged in that duty.

I have the honor to be, very respectfully, your obedient servant,

JNO. S. PRESTON,

Lieut. Col. and Assistant Adjutant-General, Commanding.

HEADQUARTERS CAMP RANDOLPH,

Decatur, Ga., November 12, 1862.

Hon. GEORGE W. RANDOLPH,

Secretary of War, Richmond:

SIR: I have the honor to report that the supreme court of this State has unanimously decided that the conscript act is clearly constitutional. The case was taken up by my order by Capt. Mark H. Blandford, of the Twelfth Georgia Regiment, temporarily assigned to duty at this camp. I am also advised from reliable sources that a very insignificant minority of the General Assembly of the State approve of the late action of the Executive, and that a rigid enforcement of the law will meet with general favor.

Very respectfully, your obedient servant,

JNO. B. WEEMS,

Lieutenant-Colonel, Commanding.

NASSAU, NEW PROVIDENCE, *November 12, 1862.*

Hon. G. W. RANDOLPH,

Secretary of War, Richmond:

SIR: My last communication was under date of the 13th ultimo in original per Leopard, and duplicate per Scotia, since which the Kate has arrived with dates to the 31st ultimo, but brought me no letters. The Kate is loaded and will sail early in the morning. Her cargo consists chiefly of blankets, flannels, &c., and as these are so greatly needed at home, I have refrained from pressing any Government freight, especially as there is but little left of the Melita's cargo. I am informed that field artillery is not wanted at home, and hence shall retain the batteries *ex* Bahama, but intend having the harness removed and shipping it by the Herald or Leopard, both of which are expected within a few days.

While on this subject I would solicit your attention to my letter of the 26th July last in reference to the battery shipped per Columbia, and the other one which is now in shore. You may remember that the evidence of ownership as disclosed was not quite conclusive to my mind, but if it be really Government property I presume you would like to have the harness taken off and shipped. I shall await your directions on this point.

I am, very respectfully, your obedient servant,

L. HEYLIGER.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, N. C., November 13, 1862.

Hon. C. G. MEMMINGER,
Secretary of the Treasury:

DEAR SIR: I applied two weeks ago for $250,000 in Confederate bonds to send abroad for the purchase of shoes, &c. I thought I could certainly get them, inasmuch as the Confederate Government owes this State near $5,000,000 or $6,000,000. I have sent two special agents for them, but have been put off for the reason that the papers were not in form, &c. As the vessel was about to sail in which my agent was going, [I] instructed my agent to ask for the bonds anyhow, and to say that any papers would be signed afterward that might be required by the forms of the Department. This was refused also, and my agent has probably lost the vessel. I am compelled, sir, to complain of such treatment. It displays either an incompetency on the part of your subordinates or an unwillingness to accommodate me with the bonds, which I would not have and do not want after my agent has gone. I would feel obliged, sir, if you would investigate the matter and see if there is any reason for the failure to accommodate me.

Very respectfully, your obedient servant,

Z. B. VANCE.

[NOVEMBER 13, 1862.—For Lubbock to Davis, reporting over sixty regiments in the Confederate service from Texas and requesting a suspension of the conscript law in that State, see Series I, Vol. LIII, p. 833.]

RICHMOND, VA., *November 15, 1862.*

Hon. G. W. RANDOLPH:

SIR: I have this moment received yours of this date notifying me that you resign the office of Secretary of War and leave the Assistant Secretary in charge of the office. As you have thus without notice and in terms excluding inquiry retired from the post of a constitutional adviser of the Executive of the Confederacy, nothing remains but to give you this formal notice of the acceptance of your resignation.

Very respectfully, your obedient servant,

JEFFERSON DAVIS.

EXECUTIVE OFFICE,
Jackson, Miss., November 15, 1862.

Hon. G. W. RANDOLPH:

SIR: Your proposition to the Governor of South Carolina would be acceptable to me if there were enough men in Mississippi liable to military duty to form the regiments. When the President made the last call on Mississippi for seven regiments for the war fifteen were furnished, including Colonel Starke's cavalry and Colonel Withers' regiment of artillery. This, with the continued recruiting for Mississippi regiments heretofore formed, has so drained the State of her male population that it will be impossible to raise four regiments after taking men between thirty-five and forty into Confederate service. I propose that three regiments of infantry and one of cavalry,

composed of men now enrolled in the State service, be retained in their present status; that is, in the service as State troops, to be ordered (as I have heretofore done) to any point indicated by the general commanding this department. This will save the embarrassment and delay of disbanding the troops now in service, and will keep in the field many who are exempt under the recent act of Congress. Those not in State service could then be conscripted to fill up old regiments, but under the exemption law but few could then be found liable to the conscription. If the Government claims all in the State between thirty-five and forty years, in the ten mounted companies in the State service the result will be to break up these companies without adding to the Confederate force, for the conscripts in them will claim and be entitled to exemption from service in the Confederate Army, while under State laws they are not exempt from State service. The same state of facts exists in regard to the infantry.

In making these suggestions permit me to assure you that I have no other end in view but to get the largest number of armed men possible in the field. We shall need them all, and all the President can send us, to keep this State from being overrun by the enemy this winter. My wish is to strengthen and not to embarrass the Confederate Government, and the only reason why I do not accept your proposition without making even a suggestion is, that I believe it will materially lessen the force with which we are to meet the enemy in Mississippi, and for this reason I ask especially that the cavalry companies now in the State service be permitted to fight through this winter as now organized. For months past they have fought the enemy thirty miles beyond the Confederate lines and have given great protection to the citizens of the northwestern corner of the State. Some of them have killed, captured, and wounded more Yankees than the company numbers. Let me again state that we need all the men we can get, and if re-enforcements are not sent I believe the State will be overrun.

Very respectfully,

JOHN J. PETTUS.

RICHMOND, VA., *November 17, 1862.*

General JEFFERSON DAVIS,
President of the Confederate States:

SIR: The Secretary of War having informed me that he had resigned his office and that the resignation had been accepted, it becomes proper for me to tender my resignation of the office of Assistant Secretary of War, to take effect when his successor shall be appointed.

With much respect, your obedient servant,

J. A. CAMPBELL.

EXECUTIVE DEPARTMENT,
Milledgeville, November 17, 1862.

General G. T. BEAUREGARD,
Charleston, S. C.:

GENERAL: I have the honor this morning to acknowledge the receipt of your note of the 15th instant, accompanied by a rescript of your communication to me under date of the 31st of October last, relative to a proposed conference between the Governors of the Southern

States and those of the Northwestern States. As you desired, I have substituted and placed on file in this department your last in lieu of your first letter, and herewith return the latter to you. I have also received the letter of Maj. J. L. Locke, with your indorsement thereon, in reference to speculation in corn. As the General Assembly is now in session, I have that subject under consideration. I will submit the letter to a committee appointed on that question, but I fear that measures against speculation will not be adopted by the Legislature as stringent as I could wish.

Very respectfully, &c.,

JOSEPH E. BROWN.

EXECUTIVE DEPARTMENT,
November 17, 1862.

The Honorable GENERAL ASSEMBLY:

Certainly a Legislature has never been convened in the State of North Carolina to protect greater interests or meet greater responsibilities. Eighteen months ago, when the State entered into the war which is now waging, all was life and buoyancy and excitement. The novelty of our undertaking and the enthusiasm of our people in support of our cause not only rendered the course of the Legislature and the Executive easy, but actually preceded and marked it out. But the long continuance of the contest, the slaughter of our soldiers, the occupation of our territory by the enemy, the destruction of our homes, and the blockaded condition of our coasts have reduced us to straits and given rise to a class of evils in the presence of which ephemeral patriotism must perish and the tinsel enthusiasm of novelty give place to that stern and determined devotion to our cause which alone can sustain a revolution. It now becomes the duty of you, the General Assembly, to set an example to your constituents of firmness, prudence, determination, and energy; to correct the errors of the past; to provide for the exigencies of the future, and to use well and wisely the power vested in your body by the constitution for the protection of our rights and liberties. The subject of first importance is the prosecution of the war and the means of defending our State against the invasion of the enemy. The Legislature, by several acts in 1861, provided that in case the Confederate Government should fail or neglect to provide for North Carolina the Governor should be authorized to raise a certain number of troops and made appropriations of money for their support. Impressed with the defenseless condition of our eastern counties when I came into office, I had fully determined to avail myself of this authority, and would have proceeded at once to do so but for the intervention of insurmountable difficulties. The principal of these was the conscript law passed by the Confederate Congress subsequent to the passage of the several acts referred to. By this law, as extended in its provisions a short time before the adjournment of Congress, all able-bodied men between the ages of eighteen and forty-five years became liable to enrollment as soldiers of the Confederate States. To raise an adequate force for State defense from our citizens beyond the age of forty-five and submit to this vast drain besides I thought entirely impracticable. I hoped, too, that by aiding and assisting in the execution of the conscription law I would be effectually providing for State defense. This reasonable hope has, I regret to say, been disappointed; and although North Carolina has a greater extent of sea-

coast than any other State, she has had fewer troops given her for its defense.

It is not necessary, gentlemen, that I should call your attention to the abounding wealth of this threatened section of our State—filled with everything necessary for the comfort of our Army and our people—or to the suffering and ruin of its loyal, patriotic inhabitants. You are sufficiently informed in regard thereto. It is for you, therefore, to say whether you will suffer our defenses, as heretofore, to remain exclusively in the hands of the Confederate authorities, or take steps to carry out the will of the last Legislature and raise troops enough on State authority to strengthen the weak hand of the General Government on our coast. I unhesitatingly recommend the raising of at least ten regiments of reserves, to be accepted for three or four months and dismissed in time to pitch their crops in the spring. This force, auxiliary to the Confederate troops, would probably be able to prevent an advance of the enemy into the interior, and while subsisting on the abundant supplies in our eastern counties would benefit the whole State by aiding in withdrawing vast quantities of provisions from exposed points. Inasmuch as it may become necessary for slave labor to be employed on State defenses, and my authority to force such labor may be questioned by some, I would respectfully recommend the propriety of the passing of an act whereby such authority may be vested in me in case such urgent necessity shall arise as will justify it.

Next to the defense of the State from the enemy in importance is the defense of our people against extortion and starvation. Notwithstanding the failure of the crop in the western part of the State, it is believed that there is within our borders an abundance of grain for the supply of our people and a surplus for the use of the Army. The lands heretofore devoted to cotton and tobacco have been planted in corn very generally, and the crop of this essential product is perhaps larger by many hundred thousand bushels than has ever been known. When this is considered, together with the immense crop of pease, potatoes, fruit, &c., there would seem to be little danger of any actual suffering among our people, nor would there be could it all be properly distributed and at reasonable prices. But the demon of speculation and extortion seems to have seized upon nearly all sorts and conditions of men, and all the necessaries of life are fast getting beyond the reach of the poor. Flour, which if properly left to the laws of supply and demand could not have risen to more than double peace rates, can now be used only by the rich. Everything has a tendency upward in the same proportion. Leather, woolen cloth, and cotton goods have been made the special means of extortion. As if we were not sufficiently afflicted with the base and avaricious in our own midst, speculators from distant States swarm in the land, offering fabulous prices for everything they can buy, and, in many instances, taking advantage of the patriotism of our people, they represent themselves as agents of the Government purchasing for the Army, thus obtaining what they could not otherwise do. The supply of salt will, I hope, [hold out;] but this subject, too, needs legislative action. Dr. Worth, the salt commissioner appointed by the convention, has been industriously at work, but he has not produced a great quantity owing to the difficulties which he has mentioned in his reports. His first works, at Morehead City, were taken by the enemy before he had fairly gotten into operation. His next effort, at Wilmington, was successful in producing about 250 bushels per day for some time before they were interrupted by the yellow fever, which has caused their

temporary suspension. As the pestilence has abated, they will, of course, be immediately again put into operation. The whole amount made there by the State and private individuals probably exceeds 2,500 bushels per day. Nearly all of this made on private account is bought by citizens of other States and carried off for speculation at prices ranging from $12 to $20 per bushel. My predecessor, Governor Clark, has also entered into a contract, through N. W. Woodfin and George W. Mordecai, esqs., with Stuart, Buchanan & Co., of Saltville, Va., for the privilege of manufacturing 300,000 bushels of salt, and Mr. Woodfin was made superintendent of the works. With commendable energy he has pushed forward his undertaking, and there are now, as reported to me by a special agent sent to visit the establishment, about 200 kettles in operation, making near 1,200 bushels per day. Owing to his sickness, the superintendent has made no official report to me of his operations and expenditures. I recommend that your honorable body shall take immediate steps to prevent the exportation from the State of salt, leather, shoes, woolen goods, cotton cloth, yarn, pork and bacon, flour, and potatoes, except for the Army and by regular agents of the Government, and except when purchased by any county and corporate authorities of our sister States under such regulations as will amount to satisfactory proof that such articles are for private use or charitable distribution to the poor of such counties, towns, &c., and not for speculation; not, however, in violation of any existing contracts made by our citizens with citizens of other States.

This is all the remedy I can suggest for the evils of extortion. History and common sense have taught us the danger of trying to force trade which refuses to be governed by any but natural laws. All we can do is to aid these well-established laws as a skillful physician assists nature in the checking of disease. Violent and forcible measures have long since been condemned by civilized statesmen, and could now only serve to dry up the sources of our industry and lessen the production of the country. The same remarks apply to seizures of private property for public use, which ought never to be resorted to except in extreme cases, and then only as a temporary expedient. To provide against the possible sufferings of the wives and children of our brave and self-denying soldiers, I also respectfully recommend the purchasing and storing at some safe point in the interior of at least 200,000 bushels of corn and 500,000 pounds of pork, to be sold to them at rates sufficient to cover the cost, transportation, &c. It can now be bought in the eastern counties at moderate prices, and is in danger of destruction by the enemy if not removed at an early day. Anticipating the necessity of this measure, and also thinking it proper in a military point of view to have some surplus on hand, I have already ordered the building of large cribs on the North Carolina Railroad and made other preliminary arrangements for purchasing on a large scale. I deem this a matter of the very highest importance. Nothing would so cheer and encourage our soldiers in the discharge of duty as to know that their State was providing for those at home, dearer to them than life; and nothing would so dispirit and demoralize them as to know that those dear ones were suffering. Indeed, the soldier shivering through the snows of the coming winter and offering his blood day by day for our defense has a right to expect that his country will not permit his wife and little ones to cry in vain for bread, and while there is a morsel in the land it should be divided with them. I beg you therefore, gentlemen, to make such provisions as you may deem best in reference to the matter and at as early a day

as possible, and let the gratifying assurance go forth to the camps of our armies that the wives and children of our soldiers shall not suffer so long as their State has money or food to give them.

I beg leave to call your attention to the great and almost insurmountable difficulties encountered by the quartermaster's department in providing clothing, shoes, and blankets for our troops. During the administration of my predecessor an arrangement was entered into (according to a resolution of the General Assembly) with the Quartermaster's Department of the Confederate States by which North Carolina was to receive the commutation clothing money of the troops, and clothe and shoe them herself. And on our agreeing to sell the Confederate authorities all the surplus supplies that could be procured in the State they agreed to withdraw their agents from our markets and leave the State agents the whole field without competition. This would have enabled the State to clothe and shoe her troops comfortably, and could have furnished to the Confederate States all that was to be had anyhow at reasonable rates, but it was immediately violated. The country was soon, and is still, swarming with agents of the Confederate Government, stripping bare our markets and putting enormous prices upon our agents. This is especially the case in regard to shoes and leather. The consequence has been our troops could get only half supplies from home, and nothing at all from the Confederate Government, because of our agreement to furnish them ourselves. When a large portion of our army this fall, by the accidents of battle and other causes, lost their baggage, it was found impossible at once to replace it. Sorely pressed as to the best course to be pursued, I published an appeal to our people in behalf of their brothers in the field, and employed the militia officers for the collection of articles donated or sold; and though the response has been at once gratifying and patriotic, yet it is necessarily slow and uncertain, and I regret to say that the heroes of Boonsborough, Sharpsburg, and other glorious fields have suffered, and are still suffering, greatly for the want of shoes and clothing. Every possible exertion has been made for their relief, but while the agents of the Confederacy are allowed to compete with ours, and speculators are allowed to carry our leather beyond our borders, it will be impossible to supply them. I earnestly recommend an embargo upon this article, as before mentioned.

I am gratified that I am able to state that the prospect of obtaining cotton cloths at reasonable rates is better than it has been. The stockholders of the Rockfish Manufacturing Company, one of the largest and most enterprising in the State, have agreed to sell all their productions at 75 per cent. upon cost, the rate allowed by the exemption bill, which will reduce the price about one-half, and some seven or eight other companies have intimated an intention of following their praiseworthy example. We may reasonably hope that most of the other mills in the State can be induced to do likewise. The woolen factories seem more incorrigible. Some of them when asked to furnish their goods at 75 per cent. decline entirely, and others agree to do so by fixing enormous profits on the cost of the raw material and then adding the 75 per cent. on the finished article, making their profits even greater than before. It is greatly to be regretted that the most useful and to-be-cherished institutions should put themselves in a position which will cause them to be execrated by our people on the return of peace. But as the free-trade policy oppressed them in times of peace, so they seem to have no mercy upon us during the existence of the war. I recommend them to your tender mercies,

gentlemen, and would respectfully suggest that you adopt such measures as may seem practicable for securing supplies to our own citizens first; and to reduce, if possible, the price of cotton yarn, which is so essential in supplying the hand looms of our farmers' wives.

In relation to ordnance stores I will mention that nearly a year ago a contract was made by my predecessor, under an act of the Legislature appropriating $10,000 for the purpose, with Messrs. Waterhouse & Bowes for the erection of powder mills. The money was expended, the mills erected, and soon afterward blown up and destroyed. Governor Clark agreed to furnish them the means to start again, and under a new contract they have erected other mills, and now are nearly ready to begin operations on a scale sufficient to make about 4,000 pounds per week. This, however, involved an expenditure of money beyond that appropriated by the act referred to, $12,000 having been advanced the contractors by Governor Clark and $8,000 by myself. Of these sums the money advanced by Governor Clark is to be refunded in four equal annual installments, and that by me by reserving 10 per cent. of the payments (as they become due) on powder to be furnished the State. The Confederate States will furnish the mills with about 3,000 pounds of niter per week. The department has contracted with manufacturers in the State for about 300 new rifles per month, and arrangements have been made whereby, after the 1st of January, about 300 old rifles and muskets out of repair will be rendered fit for service, and it is hoped the department will soon be able to keep on hand a supply for 5,000 men. A detailed report of the operations of the adjutant-general's department is herewith appended.* The finances of the State will doubtless engage your anxious consideration.

The Board of Claims, in pursuance of Ordinance No. 20, section 5, passed in December, 1861, have made a report showing the debt of the State on the 30th of September, 1862, to be $20,983,361.01, subject to be diminished by the amount of the sinking fund—at that time about $900,000; and the debt due to the State from the Confederate Government between $5,000,000 and $6,000,000. Still the State debt is very heavy, and the interest, at least, ought to be punctually paid. There are three distinct modes of supplying the requisite sum—one by taxation; a second by an additional issue of Treasury notes, and a third by getting from the Confederate Government the sum due to the State. Indeed, this sum, when received, ought to be applied forthwith to the extinguishment of the debt of the State as far as it will go, for it constitutes a part of the capital of the State debt, and ought to be applied, when returned, toward the extinction of that amount of its capital. Upon correct principles, therefore, of financial economy the debt ought not to be allowed to grow any larger if practicable to prevent it. And if the payment of the entire amount of interest cannot be provided for by taxation, as much, at least, as possible ought to be so raised. In regard to the subject of taxation—interesting at all times, and rendered doubly so at this eventful crisis—I have but few remarks to make. There has been such a disturbance in the industrial pursuits of the country within a very recent period that it is difficult for one who may not at once have been present in all parts of the State to fully realize it. You bring with you this knowledge, and can better apply it from what you have seen than from what I can recommend. I shall therefore venture but one suggestion upon the subject because of what I have heard.

* Not found.

By Ordinance No. 22, of June, 1861, which is now a part of the constitution of the State, it is provided that land and slaves shall be taxed according to their value, and the values of both taxed alike; and that the tax on slaves may be laid on their general average value in the State or on their value in classes in respect to age, sex, and other distinctive properties in the discretion of the General Assembly, and the value be assessed in such modes as may be prescribed by law. Now, while lands even of the same qualities, but situate in different places, from their local and immovable character are properly assessed at different rates because of their relative proximity to markets, and for other substantial causes, and for such reasons the General Assembly itself can neither accurately value real estate nor can do so by any general State commissioners, yet some steps may be taken toward equalizing the tax on slaves, which under the present mode of assessments may be, and I understand is, various in many counties of the State, because of the different standard of valuation adopted by the owners and assessors. It is very desirable that the tax should be uniform, and I suggest as the most likely means to accomplish that object the propriety of classifying slaves by their ages, or by sex and age, and affixing [every] two years the taxable value of each class. In consequence of the movable quality of this species of property it is not subject to the irregularity of assessment which attends land. The value of slave property at one place in the State is for all practical purposes the same as in any other, and it is not difficult, therefore, to make the tax both equal and uniform by the classification of slaves in the manner already mentioned.

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In order to meet the interest on the public debt and to make up the sum due from the counties where the tax cannot be collected on account of the presence of the enemy, I recommend an increase of at least 25 per cent. on the present amount of taxation. The great abundance of money and consequent high prices of property would, I think, enable the people to pay it cheerfully. I also recommend that a tax of 25 per cent. be laid upon the net profits of all persons who have during the present year speculated in the necessaries of life, such as corn, flour, bacon, pork, shoes, leather, cotton cloth and yarn, and woolen goods, and to be continued during the next year and longer if necessary; the proceeds to be applied to the support of the wives and children or widows of soldiers whose property as listed on the tax books shall fall below a certain sum. This law, if properly enforced and guarded against false swearing, would be made to answer a valuable purpose and would be eminently just in its effects. I am clearly of opinion that no more treasury notes should be issued if it be possible to avoid it, and think it would be better to pay interest on our bonds than to further swell the volume of paper in circulation. The following is a statement of the debt of the State on the 30th day of September, 1862:

Bonded debt	$14,812,005.00
Temporary loans	2,550,449.00
Interest unpaid on coupon bond debt	432,005.45
Interest unpaid on temporary loans and bonds without coupons	52,351.06
Amount Treasury notes in circulation	3,136,550.50
Total	20,983,361.01
Taxes received from permanent sources for 1861	734,650.10
Taxes received from permanent sources for 1862	715,763.39

The falling off is attributable to those counties and parts of counties in the possession of the enemy. The deduction for the next year will be still greater, owing to his advance, the destruction of property, &c.

The report of the Board of Claims on the subject of the finances is herewith transmitted.* In view of the very great labor now imposed upon the treasury department and the variety of duties it embraces, I recommend the creation of the office of auditor of public accounts, to continue so long as may be deemed necessary, whose duty it shall be to investigate and settle all claims against the State, &c. When the term of the present Board of Claims shall expire it will be necessary to have some such an office in existence during the continuance of the war, and perhaps for many years after. Should it not be deemed advisable to establish the office of auditor, then I recommend that the Board of Claims be continued and authorized to hold short sessions quarterly, and their pay be arranged in proportion to their labor.

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I beg leave to make certain suggestions in regard to militia and to aiding the Confederate authorities in enforcing their efforts to maintain the efficiency of our armies. The ordinary penalties prescribed by our militia laws for the punishment of offenses, and disobedience of orders are adapted to peace times and are found now entirely inadequate. Wishing to spare our citizens the disagreeable spectacle of Confederate soldiers traversing the country to gather up delinquent conscripts, deserters, and absentees from the Army without leave, I decided to employ the militia for that purpose. In general it has answered admirably, most of the officers having displayed great zeal and efficiency in gathering up rapidly all persons subject to military duty without offending the sensibilities of our people. But in some instances deserters and other shirking characters have set the officers at defiance and are enabled to evade arrest by the assistance of others, who conceal them, feed them, and in some cases resist the officers in the discharge of their duty. As the crime of desertion, so far as I know, is not an offense against the common law, so the concealing, aiding, and assisting a deserter to avoid recapture is not punishable in our courts. To aid the military authorities in arresting such persons I recommend that an act be passed for the punishment of any one who shall aid and assist them or in any manner prevent their recapture; and also to punish more severely the disobedience of laws by the militia. It also becomes my duty, gentlemen, to bring to your attention several serious matters connected with the administration of justice in the State. There is great danger of lawlessness overrunning the land, and in the abundance of military rulers and arbitrary authority people are beginning to forget that there is such a thing in existence as civil law, which is the master of us all. Though pre-eminently a conservative and law-abiding people, our society is already beginning to suffer serious detriment from the violent and law-defying tendencies of the times. Murder, arson, disregard of obligations, oppression, and injustice are more common in some districts than they have been known. Not long since, as I am informed, a Confederate officer refused to permit the execution of a writ of habeas corpus within his camp, issued by competent authority, and drove the officer with denunciations and abuse from his presence. It should be our pride, as it is our duty and safety, to show our enemies abroad and our lawbreakers at home that the same glorious old common law which our fathers honored and observed in the midst of suffering and calamity

* Not found.

is still moving on with power and majesty, strengthening, protecting, and sustaining our people as it ever will strengthen and sustain those who respect it.

The General Assembly at its last session, actuated, no doubt, by the most patriotic motives, passed an act suspending the regular sessions of the supreme and superior courts of law and equity. This act is considered by many unconstitutional, and in my judgment, to say the least of it, is unwise in some of its provisions. That some remedy ought to have been provided protecting property generally from sacrifice, and particularly the property of our brave soldiers, who had left their homes and business for our defense (if indeed an enlightened and patriotic public opinion had not guaranteed that protection), no one will question, and to this extent meets my approval. But the courts themselves should be opened and the fountains of justice unsealed. The criminal law especially should be diligently administered, for it has been wisely said that "the commission of crime is prevented more by the certainty than the severity of its punishment." Again, persons charged with crime and confined in prison, even if unlawfully convicted, cannot have their cases reviewed in a court of higher jurisdiction for many months, thus violating that sacred provision in our Declaration of Rights, which says "that every free man restrained of his liberty is entitled to a remedy to inquire into the lawfulness thereof and to remove the same if unlawful, and that such remedy ought not to be denied or delayed." I therefore recommend that the regular sessions of the supreme and superior courts be restored. I am also convinced that while the soldier in the field should have his property protected from seizure under execution, there exists no valid reason why in the great plenteousness of money and the high prices of property any man should desire to be excused from paying his debts. I think it probable that it might also exert a favorable influence on prices if men were compelled to part with their surplus property to satisfy their creditors. In this connection permit me to respectfully recommend that our present circuits be rearranged, adding at least one additional circuit and another judge thereof. The necessity for this change will be apparent from the following considerations:

Some of the circuits embrace an extended area of territory, with a large amount of business. The seventh circuit comprises eighteen counties, others more than twelve, and to some two weeks are allotted. According to existing statutes the judges are allowed an annual salary of $1,950, with the proviso "that in all cases where a circuit of the superior courts shall exceed twelve weeks the judges holding the said courts of any regular term shall be entitled to a compensation of $90 for the court of each county exceeding twelve held by them, to be paid by the public treasurer on the 1st days of January and July in addition to their salary aforesaid, and each week in which a court shall be held shall be considered a term." Special terms of the superior courts are also held, and for this service a compensation of $90 given, to be paid by the county in which the court is held. Upon examination it will be found that the amounts thus paid for the additional and extra courts exceed the salary of a single judge. The fourth section of the one hundred and second chapter of the revised code provides that "every judge shall produce a certificate of the clerk of each county of his having held the court of the county according to law; and for every such certificate omitted to be produced there shall be a deduction from his salary of $100." Portions

of certain circuits are occupied by the enemy, and it is impossible for the judges to procure the required certificates. It may be necessary, therefore, to modify this provision to have effect only pending the war.

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There are confined in Salisbury by the Confederate authorities a number of citizens of North Carolina arrested for alleged political offenses. How long they are to remain incarcerated no one can say but those who apprehended them. What their guilt really consists in I do not know, but this much it becomes both you and me to know in view of the oaths we take upon entering into office, that they were not arrested by lawful process. As citizens of North Carolina they are entitled under the constitution to a speedy trial by a jury of their peers and to be confronted with their accusers. I have laid their cases before His Excellency the President of the Confederate States,* and when his reply is received you will be informed thereof. Should there exist any grave State reasons why they are denied a trial it is due at least that we should be informed of them. I have not seen an official copy of the act, but learn from the newspapers that Congress has conferred upon the President the power to suspend the writ of habeas corpus in all cases of arrests made by the Confederate authority. If this be once admitted no man is safe from the power of one individual. He could at pleasure seize any citizen of the State, with or without excuse, throw him into prison, and permit him to languish there without relief—a power that I am unwilling to see intrusted to any living man. To submit to its exercise would, in my opinion, be establishing a precedent dangerous and pernicious in the extreme. Among a people so united and faithful to their cause and ours, where disloyalty is the rare and solitary exception to the general rule, I can see but little good, but a vast tide of inflowing evil, from these inordinate stretches of military power which are fast disgracing us equally with our Northern enemies. A free republic that must needs cast off its freedom in every time of trouble will soon cast it off forever. Freedom cannot be embraced to-day and spurned to-morrow; a steadfast and constant worship can alone secure her countless blessings. Her chosen instruments—the constitution and the laws—were made the sure covenant of her everlasting residence among us, our delight in time of peace and prosperity and our guide and shield in the day of trouble and calamity. Now, if ever, is the time when we should abide strictly by their stern decrees and walk uprightly in the narrow path they have marked out for our footsteps. We should least of all forsake the helm and the compass when the vessel is driven by the tempest and clouds and darkness obscure the way. Deeply impressed as I have been with the importance of this subject, I have been anxious at the same time to avoid any unnecessary conflict with the Confederate authorities. I have, therefore, waited patiently for your assembling, confident that you would take proper steps to maintain the laws and preserve the rights of our people.

It becomes my duty, also, to call your attention to the subject of officering our troops in the field, some conflict of opinion existing in regard thereto. The right of the State authorities to commission the officers of the regiments originally raised for the war is not doubted. It is conceded by the act of Congress of April 16, 1862, known as the conscript law. But the Confederate authorities claimed the right to commission the regiments of twelve-months' men continued in service

*See Series I, Vol. LI, Part II, p. 644.

by this law, and also all regiments whatsoever raised since it went into operation. And in both cases they have claimed to commission and appoint all regimental staff officers, even when they conceded to the Executive of the State the appointment of the officers of the line. Again, while appointing and commissioning field officers the Secretary of War has declined to appoint the company officers. To remedy if possible this confusion and to avoid conflict I called in person to see the President, who promised to take the opinion of his Attorney-General on the subject at length. I have not yet had the pleasure of seeing that opinion, and now lay the matter before you and recommend you to take such steps as will preserve the rights and honor of the State. It may well be doubted if the officering of the whole of our troops does not belong exclusively to State authority, as by strict reference to the Constitution they may be found to be in point of law militia. It is mortifying to find entire brigades of North Carolina soldiers in the field commanded by strangers, and in many cases our own brave and war-worn colonels are made to give place to colonels from distant States, who are promoted to the command of North Carolina troops over their heads to vacant brigadierships. Some of these promotions are charged to North Carolina, which enables the authorities to say that we have had so many appointments, when in fact we have not, the appointees not being citizens of our State. This is fast breaking down the pride and patience of our officers, many of whom have reported to me their intention to resign, alleging that the road to honorable promotion is almost closed to our citizens. This is not right, and forms a just cause of complaint both in our Army and with our people at home. We are willing that our soldiers should follow any general capable of leading them, but we contend that as a matter of sheer justice our soldiers are entitled to receive their fair proportion of the honors won by their gallantry and endurance.

I would also recommend that the existing prohibition against the distillation of spirits from all kinds of grain be continued during the war. There is no grain to spare for such purposes, and all the medical needs of the country and Army can be abundantly supplied by the liquors made from the fruit crop. Should even the supply for the Army fail, it cannot be doubted that it is much better for the soldier to go without spirits than that his wife and child should go without bread. I also recommend that a law be passed providing for a rigid punishment of all persons who may be convicted of speculating in any of the necessaries of life under the false pretense of being Government agents.

In order to keep the highways of the country in better condition (they having since the commencement of the war been permitted to get in very bad repair) I recommend that the Revised Code be so amended that the age to be reached to entitle a man to exemption from working on the roads shall be fifty years, instead of forty-five, as now.

* * * * * * *

In conclusion, gentlemen, allow me to urge upon you the vital importance of bringing forth all the powers and resources of the State for the common defense of our country and our cause. The two great dangers we have to meet will be found connected with our currency and supplies for our army. Men enough to protect us and drive back the invader we can always get, if we can properly clothe and feed them. Let us do this and preserve our paper from depreciation and

all will be well. In our intercourse with the authorities of our young Confederacy, having demanded firmly the rights which are due our State, let us yield them no grudging support, but in all things pertaining to the general weal sustain and strengthen them with our whole hearts. And in all our official acts let us remember that it is the spirit of the people which tyrants cannot subdue. On this depends all. So long as they continue harmonious, willing, self-sacrificing the united armies of this continent may be hurled againt us in vain; with such a country and such a people we might set them at defiance. Our heroic soldiers, shivering in their rags and splashing with their naked feet through the snows, have already, even through the chronicles of our foes, excited the wondering admiration of the world and the great generals and brave people beyond the distant waters of the sea stand aghast with astonishment at the feats of freemen struggling for their rights. Let us learn of them, and by zeal and discretion displayed for the general good show the world that we are worthy to preside over these gallant and patriotic men.

Remember, lastly, that you are laboring for the very salvation of our people. The bitter cup that our captured cities and districts have had to drink shows us, alas too plainly, the mercy we are to expect if our Abolition foes should overcome us. In the bitterness of their baffled rage they have even shown a determination to re-enact the horrors of Saint Domingo, and to let loose the hellish passions of servile insurrection to revel in the desolation of our homes. The people of the next generation will bless the memory of those who, whether in the field or the council, helped to rescue their country from these horrors. Let us labor to deserve their praise, and may the blessing of God attend our soldiers and our statesmen, who are struggling to defend a noble people and a noble cause.

Z. B. VANCE.

[NOVEMBER 17, 1862.—For Smith to Cooper, in reference to the enforcement of the conscript act in East Tennessee, &c., see Series I, Vol. XX, Part II, p. 405.]

NASSAU, NEW PROVIDENCE, *November 17, 1862.*

Hon. GEORGE W. RANDOLPH,
Secretary War Department, Confederate States of America:

DEAR SIR: My friends, Messrs. S. Isaac, Campbell & Co., of London, instructed me to address you proposals to furnish clothing and equipments for 100,000 men, deliverable at Bermuda or Nassau, which have failed to reach you owing to the capture of the vessel by which they were forwarded. I now take the opportunity to repeat the proposals to the following effect:

Messrs. S. Isaac, Campbell & Co. request me to state that there exists now greater facilities for procuring the materials required by the Confederate Government than prevailed in the early part of the war, when they were scarce and difficult to procure. Under these circumstances they feel confident of their ability to give satisfaction to the Department in respect to the quality of the equipments and the dispatch with which they can be completed, which they would be able to accomplish in about three months from receipt of order.

My friends have taken into consideration the difficulty experienced by the Confederate Government in placing funds in Europe in the

present state of affairs, and propose to execute the order on terms of payment which they judge will be acceptable to your Department and greatly facilitate your Government and promote its success in the struggle in which it is engaged. The order in question will occasion the outlay of a large amount of ready money, and Messrs. S. Isaac, Campbell & Co. having up to this time advanced to the Government about £400,000 sterling, their active means are so far diminished as to require that some portion of the payment be made in cash or sterling bills of exchange.

Following my instructions, I beg leave at the same time to bring to your attention the state of the account between Messrs. S. Isaac, Campbell & Co. and the Government for equipments and other war material already furnished. They have been given to understand the Goverment has matured plans for the issue of certificates for certain specified quantities of cotton, which are to be made applicable to the liquidation of debts contracted abroad for war material and for future purchases. The details of the measure are unknown to us, but we assume they are such as will be entirely acceptable, and accept them in advance of the information which you will greatly oblige by forwarding to me with your reply in duplicate by first steamer leaving for this port.

I have the honor to be, your obedient servant,

BENJ. W. HART.

[First indorsement.]

To Quartermaster-General for consideration and report.

J. A. S.,
Secretary.

[Second indorsement.]

QUARTERMASTER-GENERAL'S OFFICE,
December 30, 1862.

Respectfully returned to the Secretary of War.

I have considered this communication, and submit that it contains nothing upon which to base a report. The proposal is to furnish clothing for 100,000 men, but no item of the cost of the clothing is presented. Maj. J. B. Ferguson, of the Quartermaster's Department, is now in Europe for the purpose of making purchases for the department. The parties can make their proposals directly to him, and he can best determine upon the expediency of accepting the proposition of these parties.

Respectfully,

A. C. MYERS,
Quartermaster-General.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 89. } *Richmond, November 18, 1862.*

I. The following act of Congress is published for the information of all concerned, and will be observed by all enrolling officers:

(No. 29.)

AN ACT to permit enlistments in the Navy and Marine Corps.

The Congress of the Confederate States of America do enact, That from and after the passage of this act, any person subject to enrollment for military service under the acts of Congress providing for the public defense, shall be permitted to enlist in the Marine Corps at any time prior to being mustered into the Army of

the Confederate States: *Provided*, That the number of men so enlisted does not increase the Marine Corps beyond the strength authorized by law.

SEC. 2. That if any person who has been or is about to be enrolled for service in the Army shall, at any time before being assigned to any company, declare to the enrolling or commanding officer that he prefers being enrolled for service in the Navy or the Marine Corps, it shall be the duty of the said officer to enroll such person for the service which he may prefer, and to transmit to the Secretary of the Navy a list of the persons so enrolled.

SEC. 3. That from and after the passage of this act, the pay of sailors and marines shall be increased four dollars per month.

Approved October 2, 1862.

II. Transfers from the military to the naval service will be effected in the presence of an enrolling officer or an officer of the Navy, in order that when the soldier is in due form discharged from the Army he shall be at once enrolled and received into the Navy.

III. The following form may be used in all cases of discharge, to be signed as required by the eleventh Article of War. Orders for discharge emanating from this office will be considered simply the authority thereon to grant the discharge and not the discharge itself:

SOLDIER'S DISCHARGE.

To all whom it may concern:

Know ye, that ——— ———, a —— of Captain ——— company, ——— Regiment of ——— ———, who was enlisted the —— day of ———, one thousand eight hundred and ———, to serve ———, is hereby honorably discharged from the Army of the Confederate States.

Said ——— was born in ———, in the State of ———, is ——— years of age, —— feet —— inches high, ——— complexion, ——— eyes, ——— hair, and by occupation, when enlisted, a ———.

Given at ——— this —— day of ———, 186—.

By order:

S. COOPER,
Adjutant and Inspector General.

A comparative view of commissary supplies and resources presents this state of things:

	Pounds.
Bacon on hand October, 1861	3,031,960
October, 1862	5,154,366
Surplus	2,123,406
Calculation of bacon from last fall's purchase, being product of 249,000 hogs, at 180 pounds per hog, and 53 per cent. thereof in bacon, being purchases made in Kentucky, Tennessee, Virginia, and North Carolina	23,754,600
Same, this fall, being product of 150,000 hogs purchased in Tennessee, at 150 pounds per hog, and 53 per cent. thereof in bacon	11,925,000
Deficit	11,829,600
From this deficit must be deducted the hogs to be killed in North Carolina and in Virginia. From all sources in both States the amount cannot exceed 20,000 hogs; but at the same rates as the last stated items it will amount to	1,590,000
Add excess of bacon on hand October, 1862, above that on hand in October, 1861, amounting, as stated above, to	2,123,406
Making the total deduction	3,713,406
This last amount taken from the deficit before stated leaves a clear deficit of	8,116,194

But these estimates do not show accurately the amount on hand at this present time, because consumption has been going on since the 1st of October, now six weeks, on a large scale. The supplies for current consumption have been largely aided by purchases of bacon in private hands, and those supplies are now exhausted. The deficiency of Government purchases of bacon represents a still greater deficiency in private stocks, as the general insecurity of all the hog region has made parties anxious to sell, and the greater scarcity of salt makes it impossible for many parties to cure their hogs even if it were deemed safe to do so.

There is no hope of getting hogs from Kentucky, as parties there feel themselves deserted by the Government, and refuse to sell except for Virginia money, which even at a premium of 25 per cent. cannot be had to one-twentieth part the amount needed. So much for hogs.

Comparative estimate of beeves packed last winter and to be packed this winter.

Last winter	40,000
This winter	4,000
Deficit	36,000

This amount includes all the beeves packed at Alexandria, where none, of course, will be packed this year.

Fresh meat.—The number of beeves from all sources now available for General Lee's army, which now consumes 1,000 head per week, does not this day exceed, so far as this Bureau knows, 8,500 head; and over 4,000 of them are about 250 miles removed from him at this time, and winter is at hand.

The future of beef supply for the Army is so nearly exhausted that this Bureau does not know whence more is to be obtained. For the armies of the West it may or may not be had from Texas, according to the success in crossing cattle over the Mississippi, and the practicability of wintering them when crossed. For the other armies a supply depends on the security of the sea-coasts of Florida and Georgia, and those delivered at Savannah and Charleston are represented to be in a starving and useless condition.

This Bureau has made every effort it could to accumulate supplies from Tennessee of bacon, hogs, and beeves; but already General Breckinridge has made requisition on Major Cummings, this Bureau's principal agent, for 600,000 rations, and Capt. Parker Campbell wishes to draw upon our reserves at Atlanta for 500,000 rations, so the Army of the West must be nearly as badly off for provisions as any other we have in the field.

November 18, furthermore, by telegraph from Major Cummings, who is collecting supplies as above stated, I am informed that he has received an order to turn over all the supplies he has collected. This I have forbidden. The fact is of pregnant significancy.

L. B. NORTHROP,
Commissary-General of Subsistence.

[NOVEMBER 18, 1862.—For Pemberton to Harris, in relation to raising new regiments within the enemy's lines in Tennessee, see Series I, Vol. LII, Part II, p. 391.]

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 90. } *Richmond, November 19, 1862.*

I. Before going into action the chief of artillery of each army will make such disposition of the teams attached to the battery wagons and traveling forges as will render them most available for the purpose of securing artillery captured on the battle-field.

II. Medical directors and inspectors will forward to the office of the Surgeon-General copies of all circulars, and of all printed orders or instructions, and of all written orders of importance issued by them.

III. Details from corps in the field will only be granted for Government work, and in cases of urgent necessity for work under contract. In the case of details for contract work the consent of the men must be obtained, and the order detailing them will direct that their pay and allowances shall cease during the detail, and that in lieu thereof the contractors shall pay them full wages.

* * * * * * *

By order:

S. COOPER,
Adjutant and Inspector General.

STATE OF NORTH CAROLINA,
CONFEDERATE STATES OF AMERICA,
[*November 19, 1862.*]

At the opening of the second winter of the war between the Confederate States and the United States of America the State of North Carolina is under the necessity of applying in foreign markets for material with which to equip its citizens in the Army, especially for shoes and blankets. In common with other Southern States, North Carolina previously to this war relied for supplies of manufactured articles in a great measure upon the States with which it is now at war. Besides this, the necessity the State is in of throwing more than one-half of its men into the Army has compelled it to reduce within the narrowest limits its laborers in the various branches of peaceful industry. Under other circumstances North Carolina would have no difficulty in supplying all of its wants from its own resources; but now, in addition to what is said above, the very great naval superiority of the public enemy deprives its citizens of the usual resort of communities pressed by war, inasmuch as foreign merchants are debarred from that access to our markets which is usual, which at the present time would be so abundant a source of accommodating and profitable trade. The authorities of North Carolina therefore recur to the extraordinary course of sending commissioners abroad in order to purchase the articles which are needed. Being unable to procure exchange in quantities sufficient for their purpose, and the transmission of gold or cotton involving a double risk, they have decided to offer a pledge of the faith and credit of the State upon a loan of money to be obtained in Europe for the purpose above indicated. It is presumed that the general character of North Carolina for solvency and honor has been repeatedly canvassed and is now well established in the money markets of England, where the State has repeatedly heretofore negotiated its bonds with success. During all the period of its connection with the United States North Carolina was prompt in discharging every pecuniary liability. Although the present war

has of necessity prevented the State from remitting with regularity the interest accruing upon its public debt, its respect for those obligations and determination to keep its faith untouched remains the same. The value of the property belonging to its citizens and within its borders is recorded as more than $500,000,000 in value, of which the value of its slave property is about $200,000,000. The public debt is not quite $21,000,000. The debt of North Carolina is upon a footing very different from that of the Confederate States, and its payment is by no means dependent upon the successful issue of the present war. The returns of the census of 1860, which are yet unpublished, exhibit a marked increase in the growth of cotton in North Carolina, and it is probable that there are now within its limits belonging to its citizens 300,000 bales awaiting the reopening of commerce; besides it may reasonably be anticipated that the development of its mines of coal and iron which have recently been opened, and the products of which are just finding their way to market, will prove in future a very considerable item of wealth. The State of North Carolina proposes to repay any money which it may borrow under the commission herewith sent with interest at — per cent., payable semi-annually by remittances of cotton at market rates, to be effected at the earliest moment possible either during the war or after the return of peace, or the creditor may have an option of funding his debt in bonds of the State with interest as above, such bonds to be issued upon the return of peace and the option to be declared at the time of lending the money. The commission is intrusted to Messrs. John White and T. M. Crossan, and, in the absence of either, of necessity to the other.

Z. B. VANCE.

[NOVEMBER 19, 1862.—For Floyd to Randolph, proposing reforms in the methods of enforcing the conscript law, see Series I, Vol. XXI, p. 1022.]

GENERAL ORDERS, No. 91. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 20, 1862.*

The officers of the Quartermaster's Department charged with paying the troops are hereby prohibited from making payment to any general staff officer of the Provisional Army who does not exhibit the evidence of assignment to the appropriate command under which he claims payment, agreeably to paragraph I of General Orders, No. 48, current series.

A departure from this order will render the paying officer liable to stoppage to the amount of such payment, should it be found in the settlement of his account at the Treasury that he has disregarded this regulation. The large number of general staff officers of the Provisional Army who are without assignment to appropriate commands, including those of the Adjutant and Inspector General's Department, Quartermaster's Department, Commissary Department, and other departments of the general staff, renders it necessary to publish this order and to append to it the subjoined paragraph of General Orders, No. 48, above referred to, to wit:

The appointments of general officers and officers of the general staff in the Provisional Army being made under special authority, and for specific objects, terminate with their commands, except in cases of assignment to other appropriate duties.

This order is not designed to affect those general staff officers who are temporarily absent on leave, or sick, while under proper assignment to their appropriate commands.

By order:

S. COOPER,
Adjutant and Inspector General.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., November 20, 1862.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond:

SIR: I have the honor to communicate to you an act of the General Assembly of Alabama to aid the Confederate Government in providing shoes for the Alabama soldiers in the Confederate Army, &c., and respectfully request that you will inform me at an early day what extent of provision has been made by the Confederate Government for that purpose, and to what extent the aid of Alabama will be desirable or acceptable.

Very respectfully, your obedient servant,

JNO. GILL SHORTER,
Governor of Alabama.

[Inclosure.]

AN ACT to aid the Confederate Government in providing shoes for the Alabama soldiers in the Confederate Army and to impress the materials suitable for such shoes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Alabama in General Assembly convened*, That in view of the magnitude of the present war, and under the apprehension that the Confederate Government without the aid of this State cannot supply the troops from this State in the Confederate Army with shoes in due time, the sum of $250,000 be, and the same is hereby, appropriated to enable the Governor to have 50,000 pairs of shoes manufactured or purchased, or such portion thereof as he may ascertain the wants of the soldiers from Alabama require.

SEC. 2. *Be it further enacted*, That to facilitate the accomplishment of the object of this act the Governor shall communicate with the Confederate Government and inform the proper authority thereof of the motives which prompt the legislative provision for the partial supply of shoes for soldiers from Alabama, it being intended only as aid to the Confederate Government. To that end the Governor is hereby authorized to contract with the Confederate Government to accept all the shoes which he may furnish at such price as may be agreed on by him and the Confederate Government.

SEC. 3. *Be it further enacted*, That in order that the Governor may obtain the quantity of shoes mentioned in the first section of this act without being subjected to delay or extortion, he is hereby authorized and empowered to take and impress for the public use, in such manner as he shall think proper, any shoes suitable for soldiers and any leather and any other materials suitable for making such shoes, in the possession of any person in this State, making just compensation therefor out of the money in the first section of this act appropriated.

SEC. 4. *Be it further enacted*, That in all impressments under the provisions of this act due regard shall be had to the wants and

necessities of the locality in which any such impressment is made and the extent to and the price at which the party impressed has contributed to supply these wants and relieve these necessities, as well as to the amount of shoes and leather furnished the State or Confederate Government, and the prices at which the same has been furnished.

Approved November 19, 1862.

STATE OF ALABAMA, OFFICE OF SECRETARY OF STATE,
November 19, 1862.

I hereby certify that the foregoing is a true and correct copy of the original act now on file in my office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State at Montgomery this 19th day of November, A. D. 1862.

[SEAL.] P. H. BRITTAN,
Secretary of State.

AN ACT to authorize the enrollment of the Creoles of Mobile.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Alabama in General Assembly convened*, That certain persons of mixed blood, residing in the city and county of Mobile, commonly known as Creoles, be, and the same are hereby, authorized to be enrolled as militia for the defense of the city and county of Mobile, if in the opinion of the mayor of the city it is expedient.

SEC. 2. *Be it further enacted*, That the enrollment authorized by the first section of this act shall be made as follows, to wit: The mayor shall enroll such male Creoles between the ages of eighteen years and fifty years who wish to be enrolled. He shall then divide them into suitable companies, and appoint some discreet white man as commissioned officer to command said companies. Said companies shall be confined exclusively to the defense of the city and county of Mobile, and shall be under the command of the military authorities in the city of Mobile.

Approved November 20, 1862.

GENERAL ORDERS, No. 92. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, November 21, 1862.

The second clause of paragraph I, General Orders, No. 29, current series, is hereby amended to read as follows:

2. If the substitute be of good moral character, not within the prohibited classes, and, on examination by a surgeon or assistant surgeon of the Army, be pronounced capable of bearing arms, he may, upon the written consent of the company and regimental or battalion commander, provided the substitution can be effected without manifest injury to the public service, be enrolled and mustered into the company for three years, unless the war sooner terminates, and the noncommissioned officer or soldier procuring him shall thereupon be discharged, but shall not be entitled to transportation at the expense of the Government.

By order:

S. COOPER,
Adjutant and Inspector General.

[NOVEMBER 21, 1862.—For Taylor to Randolph, relative to the execution of the conscript law in Louisiana, see Series I, Vol. XV, p. 872.]

GENERAL ORDERS, No. 93. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 22, 1862.*

I. The following acts of Congress, having been approved by the President, are published for the information of the Army:

(2.)

AN ACT to amend an act entitled "An act to provide for the public defense."

The Congress of the Confederate States of America do enact, That the sixth section of the act to provide for the public defense, approved on the sixth of March, eighteen hundred and sixty-one, be amended by adding after the words "brigades into divisions," the words "and divisions into army corps," and each army corps shall be commanded by a lieutenant-general, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive the pay of a brigadier-general.

Approved September 18, 1862.

(3.)

AN ACT to authorize the appointment of additional officers of artillery for ordnance duties.

The Congress of the Confederate States of America do enact, That the President, by and with the advice and consent of the Senate, may appoint seventy officers of artillery in the Provisional Army, for the performance of ordnance duties, in addition to those authorized by the act entitled "An act to authorize the appointment of officers of artillery in the Provisional Army," approved April twenty-first, eighteen hundred and sixty-two, and that from the whole number of artillery officers appointed to discharge ordnance duties there shall be one with the rank of lieutenant-colonel for each command composed of more than one army corps, one with the rank of major for each army corps composed of more than one division, and the residue with the rank of captain and first and second lieutenant in such proportion as the President shall prescribe.

Approved September 16, 1862.

(4.)

AN ACT in relation to the transfer of troops.

The Congress of the Confederate States of America do enact, That it shall be the duty of the Secretary of War to transfer any private or non-commissioned officer who may be in a regiment from a State of this Confederacy other than his own, to a regiment from his own State, whenever such private or non-commissioned officer may apply for such transfer, and whenever such transfer can be made without injury to the public service; and the Secretary of War shall make regulations to facilitate such transfer: *Provided*, That this act shall not apply to any one who has enlisted as a substitute.

Approved September 23, 1862.

(5.)

AN ACT to regulate the rank of officers of the Provisional Corps of Engineers.

The Congress of the Confederate States of America do enact, That the officers of the Engineer Corps of the Provisional Army may have rank conferred on them during the war, equal to that authorized by law for the Engineer Corps of the Confederate States Army: *Provided*, That the number of officers in each grade be limited to one colonel, three lieutenant-colonels, six majors, fifty [forty] captains, thirty first lieutenants, and twenty second lieutenants.

Approved September 23, 1862.

(6.)

AN ACT to increase the Signal Corps.

The Congress of the Confederate States of America do enact, That the President, by and with the advice and consent of the Senate, may appoint one major, ten first and ten second lieutenants in the Signal Corps, and that the Secretary of War may appoint twenty additional sergeants in the said corps.

Approved September 27, 1862.

(8.*)

AN ACT to better provide for the sick and wounded of the Army in hospitals.

The Congress of the Confederate States of America do enact, That the commutation value of rations of sick and disabled soldiers in the hospitals of the Confederate States is hereby fixed at one dollar, instead of the commutation now allowed by law, which shall constitute the hospital fund and be held by the commissary and be paid over by him, from time to time, to the surgeon or assistant surgeon in charge of the hospital of which the soldier whose ration was commuted is an inmate, upon the said surgeon or assistant surgeon's requisition, made in writing, when necessary to purchase supplies for said hospital: *Provided, however*, When said fund for any one hospital shall increase over and above the monthly expenditures of the same to an amount exceeding the sum of five thousand dollars, the said commissary shall be required to deposit the said excess over and above the said five thousand dollars in the Treasury of the Confederate States, or such other place of deposit where Government moneys are ordered to be kept; which said deposits, when so made, shall be passed to the credit of the said Confederate States, and be liable to draft as other public moneys are; and all such funds shall be accounted for by the said commissary in his monthly report and abstract as now required by law: *And provided further*, That all such surgeons and assistant surgeons who shall receive from the said commissary any part of said hospital fund, to be expended for the use of hospitals, shall be held liable for a faithful application of it, and in a weekly account and abstract, to be made out and forwarded to the office of the Surgeon-General, to be verified in every instance by vouchers, shall show what disposition has been made of it, which account, abstract, and accompanying vouchers, shall be placed on file.

SEC. 2. That the Secretary of War is hereby authorized and directed to make a contract with the several railroad companies and lines of boats for the speediest practicable transportation of all supplies purchased for the use of hospitals by agents accredited by the surgeon or assistant surgeon in charge for that purpose, or donations by individuals, societies, or States; and it shall be lawful for the Quartermaster-General to furnish general transportation tickets to such agents upon all railroad trains and canal-boats when engaged in the actual service of said hospitals, upon the request of said surgeon or assistant surgeon.

SEC. 3. That there shall be allowed to each hospital of the Confederate States, suits of clothing, consisting of shirts, pantaloons, and drawers equal to the number of beds in the same, for the use of the sick while in the hospitals, when so ordered by the surgeon or assistant surgeon in charge, which said clothing shall be drawn upon the written requisition of said surgeon or assistant surgeon, and shall be receipted for and kept as hospital clothing, and be accounted for by him as other public property.

SEC. 4. That there be allowed to each hospital, with rations and suitable places of lodging, the following matrons and female nurses and attendants, viz: Two matrons, to be known and designated as hospital matrons in chief, at a salary not to exceed forty dollars per month each, whose general duties shall be to exercise a superintendence over the entire domestic economy of the hospital, to take charge of such delicacies as may be provided for the sick, to apportion them out as required, to see that the food or diet is properly prepared, and all such other duties as may be necessary. Two matrons, to be known and designated as assistant matrons, whose general duties shall be to superintend the laundry, to take charge of the clothing of the sick, the bedding of the hospital, to see that they are kept clean and neat, and perform such other duties as may be necessary, at a salary not to exceed thirty-five dollars per month each. Two matrons for each

*For act No. 7 embodied in this order (but here omitted), see "An act to amend an act entitled 'An act to provide further for the public defense,' approved April 16, 1862," published in General Orders, No. 82, Adjutant and Inspector General's Office, p. 160.

ward, at a salary not to exceed thirty dollars per month each, to be known and designated as ward matrons, whose general duties shall be to prepare the beds and bedding of their respective wards, to see that they are kept clean and in order, that the food or diet for the sick is carefully prepared and furnished to them, the medicine administered, and that all patients requiring careful nursing are attended to, and all such other duties as may be necessary. And all surgeons and assistant surgeons in charge of a hospital are hereby authorized to employ such other nurses, either male or female, as may be necessary to the proper care and attention of the sick, at a salary each not to exceed twenty-five dollars per month, and also the necessary cooks, at a salary not to exceed twenty-five dollars each per month, and one ward-master for each ward, at a salary not to exceed twenty-five dollars per month each, giving preference in all cases to females where their services may best subserve the purpose; and in the event a sufficient number of such nurses and ward-masters cannot be employed, not liable to military service, and it shall become necessary to assign to this duty soldiers in the service, then, upon the requisition of such surgeon or assistant surgeon in charge of such hospital, the soldier or soldiers so assigned, who are skillful and competent, shall be permanently detailed to this duty, and shall only be removable for neglect or inattention by the surgeon or assistant surgeon in charge: *Provided*, In all cases, that all other attendants and servants, not herein provided for, necessary to the service of said hospital, shall be allowed, as now provided by law.

SEC. 5. That the hospitals of the Confederate States shall hereafter be known and numbered as hospitals of a particular State; and in all cases where the same can be done without injury to the patients or great inconvenience to the Government, all sick or wounded soldiers, being citizens or residents of such particular State, shall be sent to such hospital as may represent the same, and to such private or State hospitals representing the same, which may be willing to receive them.

SEC. 6. That all persons authorized to be employed by section fourth of this act, who are not engaged in the military service, and whose pay is not now provided for by law, shall be paid monthly by any quartermaster or other person authorized to pay troops in the military service, upon a muster or pay roll, to be made out and certified to by the surgeon or assistant having in charge the hospital or hospitals in which said persons have been employed.

SEC. 7. That the Secretary of War is hereby authorized, in such way and manner as he may deem best, and under such rules and regulations as he may prescribe, to enter into and perfect some suitable arrangement with the railroad companies, their officers, or authorized agents, whereby seats in one or more cars of each railroad train, as the necessities of the case may be, shall be reserved for the use of the sick and wounded soldiers who may desire transportation on any such railroad, and that no person not sick or wounded, and not an attendant upon the sick and wounded, shall be permitted to enter any such car or cars so reserved until the said sick and wounded and their attendants shall first have obtained seats; and, also, shall perfect some arrangement with the said railroad companies, their officers or agents, whereby all conductors having in charge any such trains shall be required to provide, for the use of the sick and wounded in the cars so reserved, a sufficient quantity of pure water.

SEC. 8. That all surgeons and assistant surgeons in charge of a hospital, having in his or their charge any sick or wounded soldier, desiring transportation as aforesaid, shall, in all cases, detail some competent person, acting under his or their authority, whose duty it shall be to accompany all such sick and wounded to the depot of any such railroad, to see that all such are properly cared for, and that they obtain seats on the said car or cars so reserved.

Approved September 27, 1862.

(10.*)

AN ACT to enable the President of the Confederate States to provide the means of military transportation by the construction of a railroad between Blue Mountain, in the State of Alabama, and Rome, in the State of Georgia.

Whereas, the Confederate States are engaged in a war, the extent of which has no parallel in modern history, and the President, by his message of the twenty-fourth of September, eighteen hundred and sixty-two, to the Congress, has recommended the importance of constructing a railroad between Blue Mountain, in Calhoun County, Alabama, and Rome, in the State of Georgia, as a means of transportation needful for the public defense, and the construction of which

*No. 9 omitted as unimportant.

is also strongly recommended by the general in command of the military district in which said road is situated: Therefore,

The Congress of the Confederate States of America do enact, That the President be and he is hereby authorized and empowered to make all contracts, embracing such terms and provisions as he may deem expedient, to effect a speedy construction and completion of the link of railroad aforesaid, with the several railroad companies whose charters extend over said line, in the manner he may think best calculated to promote the public interest and provide for the public defense.

SEC. 2. *Be it further enacted*, That to enable the President to accomplish the object herein contemplated, the sum of one million one hundred and twenty-two thousand, four hundred and eighty dollars and ninety-two cents, in the bonds of the Confederate States, is hereby appropriated, to be issued and applied by the order of the President, at such times and in such sums as he may deem proper; and that the President be directed to take a mortgage on said road and its appurtenances for the ultimate repayment of the money so expended, with interest at eight per centum per annum, in aid of its construction.

Approved October 2, 1862.

(11.)

AN ACT to amend an act entitled "An act providing for the appointment of adjutants of regiments and legions, of the grade of subaltern, in addition to the subalterns attached to companies," approved August 31, 1861.

The Congress of the Confederate States of America do enact, That the provisions of said act shall be extended so as to apply to independent battalions, and that on the recommendation of the commander of any such battalion, an adjutant of the grade of subaltern may be appointed by the President for said battalion, who is not attached as subaltern to said battalion, and that said adjutant, when so appointed, shall have the same rank, pay and allowance as are provided by law for adjutants of regiments.

Approved October 2, 1862.

(12.)

AN ACT supplemental to "An act authorizing the Secretary of War to grant transfers," approved September 23, 1862.

The Congress of the Confederate States of America do enact, That whenever the Secretary of War shall grant transfers agreeable to the above act to any soldier now in service, he shall furnish transportation also.

Approved October 2, 1862.

(13.)

AN ACT to empower certain persons to administer oaths in certain cases.

The Congress of the Confederate States of America do enact, That the oath required to enable sick, wounded, or other soldiers to receive their pay, may be taken before any quartermaster, who is hereby authorized to administer the same, or before any justice of the peace having jurisdiction, or any other officer having the right by the laws of the State to administer oaths.

Approved October 2, 1862.

(14.)

AN ACT supplementary to "An act concerning the pay and allowance due to deceased soldiers," approved February 15, 1862, and to provide for the prompt settlement of claims for arrearages of pay, allowances and bounty due deceased officers and soldiers.

The Congress of the Confederate States of America do enact, That claims due to deceased non-commissioned officers and privates for pay, allowances and bounty, may be audited and paid without the necessities of the parties entitled producing a pay-roll from the captain or commanding officer, when there is other official evidence of the amount due satisfactory to the Second Auditor, under such regulations as he has or may prescribe, with the approval of the Secretary of War.

SEC. 2. The claims of deceased commissioned officers shall be paid to their heirs or representatives in the same manner as similar claims of non-commissioned officers and privates are now or may be directed by law to be paid; and to assist the Second Auditor in more effectually carrying out the provisions of this act and other pressing business of his office, the Secretary of the Treasury is authorized to appoint an experienced accountant who, with the chief clerk, shall have authority to sign and attest such official business as said auditor shall approve and direct.

SEC. 3. The Secretary of the Treasury is hereby authorized to employ in the office of the Second Auditor as many additional temporary clerks as he may think necessary, to assist said auditor in the settlement of the claims of deceased officers and soldiers, the compensation of said clerks to be four dollars per day, and without any addition whatever, for every day they shall be so actually engaged, except one, whose annual compensation shall be fifteen hundred dollars, the others to be paid weekly at the Treasury, upon a certificate of service of said auditor.

SEC. 4. This act shall take effect from its passage, and the third section shall continue in force for twelve months and no longer.

Approved October 3, 1862.

(15.)

AN ACT to provide for the organization of army corps.

The Congress of the Confederate States of America do enact, That the sixth section of an act to provide for the public defense, approved March sixth, eighteen hundred and sixty-one, be so amended as to authorize the President to organize divisions of the Provisional Army of the Confederate States into army corps, and, by and with the advice and consent of the Senate, to appoint officers to the command thereof.

Approved October 6, 1862.

(16.)

AN ACT to authorize the establishment of camps of instruction and the appointment of officers to command the same.

The Congress of the Confederate States of America do enact, That the President be and he is authorized to establish camps of instruction for persons enrolled for military service, at such places and in such numbers in the several States as he may deem necessary, and to appoint, by and with the advice and consent of the Senate, officers in the Provisional Army, with the rank and pay of major, to superintend and command the same.

Approved October 8, 1862.

(17.)

AN ACT to repeal the law authorizing commutation for soldiers' clothing, and to require clothing to be furnished by the Secretary of War in kind.

The Congress of the Confederate States of America do enact, That so much of the existing law as provides commutation for clothing to the soldiers in the service of the Confederacy, be and the same is hereby repealed; and hereafter the Secretary of War shall provide in kind to the soldiers, respectively, the uniform clothing prescribed by the Regulations of the Army of the Confederate States; and should any balance of clothing be due to any soldier at the end of the year, the money value of such balance shall be paid to such soldier, according to the value of such clothing fixed and announced by order from the War Department.

Approved October 8, 1862.

(18.)

AN ACT to amend an act entitled "An act for the organization of the staff departments of the Army of the Confederate States of America," approved March 14, 1861.

The Congress of the Confederate States of America do enact, That the first section of the act entitled "An act for the organization of the staff departments of the Army of the Confederate States of America," approved March fourteenth, eighteen hundred and sixty-one, be amended by adding to the Adjutant and Inspector General's Department one assistant adjutant-general with the rank of colonel.

Approved October 8, 1862.

(19.)

AN ACT to organize military courts to attend the Army of the Confederate States in the field, and to define the powers of said courts.

The Congress of the Confederate States of America do enact, That courts shall be organized, to be known as military courts, one to attend each army corps in the field, under the direction of the President. Each court shall consist of three

members, two of whom shall constitute a quorum, and each member shall be entitled to the rank and pay of a colonel of cavalry, shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold his office during the war, unless the court shall be sooner abolished by Congress. For each court there shall be one judge-advocate, to be appointed by the President, by and with the advice and consent of the Senate, with the rank and pay of a captain of cavalry, whose duties shall be as prescribed by the Rules and Articles of War, except as enlarged and modified by the purposes and provisions of this act, and who shall also hold his office during the war, unless the court shall be sooner abolished by the Congress; and in case of the absence or disability of the judge-advocate, upon the application of the court, the commander of the army corps to which such court is attached may appoint or detail an officer to perform the duties of judge-advocate during such absence or disability, or until the vacancy, if any, shall be filled by the President.

SEC. 2. Each court shall have the right to appoint a provost-marshal, to attend its sittings and execute the orders of the court, with the rank and pay of a captain of cavalry; and also a clerk, who shall have a salary of one hundred and twenty-five dollars per month, who shall keep the record of the proceedings of the court, and shall reduce to writing the substance of the evidence in each case, and file the same in court. The provost-marshal and the clerk shall hold their offices during the pleasure of the court. Each member and officer of the court shall take an oath well and truly to discharge the duties of his office to the best of his skill and ability, without fear, favor or reward, and to support the Constitution of the Confederate States. Each member of the court, the judge-advocate and the clerk, shall have the power to administer oaths.

SEC. 3. Each court shall have power to adopt rules for conducting business and for the trial of causes, and to enforce the rules adopted, and to punish for contempt, and to regulate the taking of evidence, and to secure the attendance of witnesses, and to enforce and execute its orders, sentences and judgments, as in cases of courts-martial.

SEC. 4. The jurisdiction of each court shall extend to all offenses now cognizable by courts-martial under the Rules and Articles of War and the customs of war, and also to all offenses defined as crimes by the laws of the Confederate States or of the several States, and when beyond the territory of the Confederate States, to all cases of murder, manslaughter, arson, rape, robbery and larceny, as defined by the common law, when committed by any private or officer in the Army of the Confederate States against any other private or officer in the Army, or against the property or person of any citizen or other person not in the Army: *Provided*, Said courts shall not have jurisdiction of offenders above the grade of colonel. For offenses cognizable by courts-martial the court shall, on conviction, inflict the penalty prescribed by the Rules and Articles of War, and in the manner and mode therein mentioned; and for offenses not punishable by the Rules and Articles of War, but punishable by the laws of the Confederate States, said court shall inflict the penalties prescribed by the laws of the Confederate States; and for offenses against which penalties are not prescribed by the Rules and Articles of War, nor by the laws of the Confederate States, but for which penalties are prescribed by the laws of a State, said court shall inflict the punishment prescribed by the laws of the State in which the offense was committed: *Provided*, That in cases in which, by the laws of the Confederate States, or of the State, the punishment is by fine or by imprisonment, or by both, the court may, in its discretion, inflict any other punishment less than death; and for the offenses defined as murder, manslaughter, arson, rape, robbery and larceny, by the common law, when committed beyond the territorial limits of the Confederate States, the punishment shall be in the discretion of the court. That when an officer under the grade of brigadier-general or private shall be put under arrest for any offense cognizable by the court herein provided for, notice of his arrest and of the offense with which he shall be charged shall be given to the judge-advocate by the officer ordering said arrest, and he shall be entitled to as speedy a trial as the business before said court will allow.

SEC. 5. Said courts shall attend the Army, shall have appropriate quarters within the lines of the Army, shall be always open for the transaction of business, and the final decisions and sentences of said courts in convictions shall be subject to review, mitigation and suspension, as now provided by the Rules and Articles of War in cases of courts-martial,

SEC. 6. That during the recess of the Senate the President may appoint the members of the courts and the judges-advocate provided for in the previous sections, subject to the confirmation of the Senate at its session next ensuing said appointments.

Approved October 9, 1862.

(20.)

AN ACT to provide shoes for the Army.

The Congress of the Confederate States of America do enact, That the President be and he is hereby authorized, on the requisition of the Quartermaster-General, to detail from the Army persons skilled in the manufacture of shoes not to exceed two thousand in number; and it shall be the duty of the Quartermaster-General to place them, without delay, at suitable points in shops under proper regulations prescribed by him, and employ them diligently in the manufacture of shoes for the Army.

SEC. 2. *Be it further enacted*, That soldiers detailed under the provisions of this act shall be entitled to receive pay for extra duty, and also thirty-five cents per pair for shoes manufactured by them severally, in addition to regular pay and rations.

Approved October 9, 1862.

(21.)

AN ACT to authorize the President to accept and place in the service certain regiments and battalions heretofore raised.

The Congress of the Confederate States of America do enact, That the President be and he is hereby authorized and empowered, whenever in his opinion the public good would be promoted thereby, to receive into the service regiments or battalions which have been organized in good faith prior to the first day of October, eighteen hundred and sixty-two, under authority or by direction of the Secretary of War, or any general officer of the Government, although said regiments or battalions may be composed in part of persons between the ages of eighteen and thirty-five years: *Provided*, That this authority shall not extend to regiments or battalions organized after the said first day of October, eighteen hundred and sixty-two, except in those States and locations where the conscript law may be suspended.

SEC. 2. That the President be and he is hereby authorized and empowered, whenever in his opinion it would promote the public good, to receive into service regiments or battalions which have been heretofore organized of conscripts by a general officer in any of the States lying west of the Mississippi River.

SEC. 3. That all companies, battalions and regiments of infantry raised or organized before the first day of December next within the limits of Middle and West Tennessee, to be composed of residents of said districts, may be accepted by the President when, in his opinion, the public interest will be promoted thereby, and said troops shall be allowed to elect their own officers for the first election, after which all vacancies shall be filled by the President, under the act, and the acts amendatory of the same, providing for the public defense, passed sixteenth of April, eighteen hundred and sixty-two, and also such counties in North Carolina lying east of the line of the Wilmington and Weldon Railroad as are beyond the lines of the Army and exposed to the incursions of the enemy.

Approved October 11, 1862.

(22.)

AN ACT to amend an act entitled "An act to raise an additional military force to serve during the war," approved 8th May, 1861, and to provide for raising forces in the States of Missouri and Kentucky.

The Congress of the Confederate States of America do enact, That the first and second sections of the act to which this is an amendment, are hereby declared to have full force and effect in those States and districts in which the President may, under the law, suspend the provisions of the acts providing for the enrollment of persons for military service, or when said acts cannot be enforced by reason of the occupation of the enemy: *Provided*, That the troops received under the sections of said act shall be received for three years or for the war.

SEC. 2. That the President may, in cases when in his opinion the public interest requires that he should do so, appoint major and brigadier generals, with their appropriate staffs, and also the field, company, and staff officers to regiments, battalions, companies or squadrons before the same are organized, by and with the advice and consent of the Senate, and if said regiments, battalions, companies or squadrons are not reported as complete within a reasonable time, the President may, in his discretion, vacate the commissions of said officers, who shall be entitled to the pay of their respective grades from the date of their respective appointments until their commissions are vacated; and that companies of infantry shall consist of at least one hundred and twenty-five rank and file, companies of artillery of at least one hundred and fifty rank and file, and companies of cavalry of at least eighty rank and file.

Approved October 11, 1862.

(23.)

AN ACT amendatory of an act entitled "An act providing for the granting of bounties and furloughs to privates and non-commissioned officers in the Provisional Army," approved December 11, 1861.

The Congress of the Confederate States of America do enact, That the above recited act be so amended as to secure to all soldiers and non-commissioned officers who shall have entered the armies of the Confederate States for three years or during the war the bounty of fifty dollars, as therein provided, although such soldier or non-commissioned officer may have been killed in battle, died, or been honorably discharged before the expiration of the first year's service of his term, to be paid as other arrearages.

Approved October 11, 1862.

(24.)

AN ACT to authorize the President to make certain appointments during the recess of the Senate.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to fill by appointment all offices created, and all vacancies which may have occurred during the present session of Congress: *Provided*, That said appointment shall, at the next session of Congress, be submitted to the Senate for its advice and consent: *And provided further*, That said appointments shall expire, unless confirmed, during the next session of the Senate.

Approved October 13, 1862.

(25.)

AN ACT to regulate and fix the pay of cadets in the service of the Confederate States.

The Congress of the Confederate States of America do enact, That the pay of cadets in the service of the Confederate States shall be the same as second lieutenants of the arm of service to which they are attached.

Approved October 13, 1862.

(26.)

AN ACT to relieve the Army of disqualified, disabled and incompetent officers.

The Congress of the Confederate States of America do enact, That whenever in the judgment of the general commanding a department, the good of the service and the efficiency of his command require it, he is authorized, and it is hereby made his duty, to appoint an examining board, to be composed of officers of a rank at least as high as that of the officers whose qualifications it is proposed to inquire into, which board shall immediately proceed to examine into the cases of such officers as may be brought to their attention for the purpose of determining their qualifications for the discharge of the duties properly appertaining to their several positions.

SEC. 2. *Be it further enacted*, That whenever such examining board shall determine that any officer is clearly unfit to perform his legitimate and proper duties, or careless and inattentive in their discharge, then the said Board shall communicate their decision, together with the full report of their proceedings in the case, to the general commanding the department in which the examination shall have been held, who shall, if he approve the finding of the Board, be authorized to suspend the officer who has been pronounced unfit for his position, and shall immediately transmit to the Secretary of War the decision and proceedings of the Examining Board with its own action and opinion indorsed thereon: *Provided*, That such officer shall be entitled to be heard and to call witnesses in his defense.

SEC. 3. *Be it further enacted*, That the Secretary of War, if he approve the finding of the Board and the action of the general commanding the department, shall lay the same before the President, who is authorized to retire honorably, without pay or allowances, or to drop from the Army, as the circumstances of the case may warrant, and the good of the service require, the officer who has been found unfit for his position.

SEC. 4. *Be it further enacted*, That in order to secure reliable information of the efficiency and competence of officers, it is hereby made the duty of each officer commanding a regiment, separate battalion, company, battery or squadron, to make to his immediate commanding officer, who shall transmit the same to the brigadier-general commanding, a monthly report in tabular form, a copy whereof shall be retained by the reporting officer, subject to the inspection of all officers interested therein, containing a list of all commissioned officers of such regiment, separate battalion, company, battery or squadron, in which shall be stated the

number of days each officer has been absent from his command, with or without, or on sick leave; the number of times each officer has been observed to have been absent from his command when on march or in action; when and where each officer has been observed to have performed signal acts of service; when and where negligent in the performance of duty and inattentive to the security and economy of public property; printed blank forms of which said reports shall be furnished by the Secretary of War for the use of the officers whose duty it is made to make such reports.

SEC. 5. *Be it further enacted*, That whenever any officer of a company, battalion, squadron or regiment shall have been dropped or honorably retired, in accordance with the provisions of this act, then the officer next in rank shall be promoted to the vacancy, if competent, such competency to be ascertained as provided in the first and second sections of this act, and if not competent, then the next officer in rank shall be promoted, and so on until all the commissioned officers of the company, battalion, squadron or regiment shall have been gone through with; and if there be no officer of the company, battalion, squadron or regiment competent to fill the vacancy, then the President shall, by and with the advice and consent of the Senate, fill the same by appointment: *Provided*, That the officer appointed shall be from the same State as that to which the company, battalion, squadron or regiment belongs: *And provided further*, That nothing herein contained shall be construed as limiting the power heretofore conferred upon the President by existing laws to fill any vacancy by the promotion of officers or the appointment of privates "distinguished in the service by the exhibition of extraordinary valor and skill:" *And provided further*, That vacancies arising under the operation of this act, in regiments or battalions which were organized under the laws of a State for the war, or for a period not yet expired, shall be filled as in case of death or resignation.

Approved October 13, 1862.

(27.)

AN ACT to authorize the grant of medals and badges of distinction as a reward for courage and good conduct on the field of battle.

The Congress of the Confederate States of America do enact, That the President be and he is hereby authorized to bestow medals, with proper devices, upon such officers of the armies of the Confederate States as shall be conspicuous for courage and good conduct on the field of battle; and also to confer a badge of distinction upon one private or non-commissioned officer of each company after every signal victory it shall have assisted to achieve. The non-commissioned officers and privates of the company, who may be present on the first dress parade thereafter, may choose, by a majority of their votes, the soldier best entitled to receive such distinction, whose name shall be communicated to the President by commanding officers of the company, and if the award fall upon a deceased soldier, the badge thus awarded him shall be delivered to his widow, or if there be no widow, to any relation the President may adjudge entitled to receive it.

Approved October 13, 1862.

(28.)

AN ACT to authorize the formation of volunteer companies for local defense.

The Congress of the Confederate States of America do enact, That for the purpose of local defense in any portion of the Confederate States, any number of persons not less than twenty, who are over the age of forty-five years, or otherwise not liable to military duty, may associate themselves as a military company, elect their own officers and establish rules and regulations for their own government, and shall be considered as belonging to the Provisional Army of the Confederate States, serving without pay or allowances, and entitled, when captured by the enemy, to all the privileges of prisoners of war: *Provided*, That such company shall, as soon as practicable, transmit their muster-roll, or a list of the names of the officers and privates thereof, to the Governor of the State, the commanding general of the department, or any brigadier general in the State or Confederate service, to be forwarded to the Secretary of War; but the President or the commander of the military district may, at any time, disband such companies: *Provided*, That in the States and districts in which the act entitled "An act to further provide for the public defense," approved April the sixteenth, eighteen hundred and sixty-two, and the acts amendatory thereof, have been suspended, persons of any age, resident within such States or districts, may volunteer and form part of such companies so long as such suspension shall continue: *Provided*, That no person shall become a member of said company until he shall have first

taken the oath of allegiance to the Confederate States of America in writing, a copy of which shall be filed with the muster-roll of said company as above prescribed.

Approved October 13, 1862.

(29.)

AN ACT to increase and regulate the appointment of general officers in the Provisional Army.

The Congress of the Confederate States of America do enact, That the President be and he is hereby authorized, by and with the advice and consent of the Senate, to appoint twenty general officers in the Provisional Army, and to assign them to such appropriate duties as he may deem expedient.

Approved October 13, 1862.

By order:

S. COOPER,
Adjutant and Inspector General.

HEADQUARTERS CAMP OF INSTRUCTION,
Talladega, Ala., November 24, 1862.

Hon. JOHN A. CAMPBELL,
Assistant Secretary of War,
Confederate States of America, Richmond, Va.:

SIR: I beg leave again to ask the attention of the Department to the urgent necessity of authorizing me to enforce the execution of the conscription laws in Northern Alabama or of adopting some other measures for the accomplishment of the same object. The Hon. George W. Randolph, Secretary of War, in a letter dated August 22, 1862, instructed me as follows:

If there is anything like organized resistance you will report to the Department, and not risk a collision with bands of men.

In obedience to this order I have refrained from adopting any vigorous measures for the enforcement of the law, but have repeatedly reported to the Department the fact that serious resistance to the law exists in various quarters, asking authority to enforce its execution. To these repeated representations I have never received any answer. The consequence is that the impunity with which enrolling officers can be defied has emboldened opposition, until now the evil has increased to such magnitude as to threaten the loss to the Government of a large share of the advantages that might result from a vigorous enforcement of the conscription, to give occasion for the murder of one man in the execution of his duty, and to create intense popular dissatisfaction at the idea that loyal and honest citizens are forced into the service, while the disloyal and refractory are left at large, defying the authority of the Government and its agents. I am subjected to the daily mortification of receiving reports from enrolling officers of inability to execute the law without being able to afford them any assistance. I beg leave also to call your attention to the fact that more than four months ago I obtained the approval of the War Department to a requisition for 500 stand of arms, with accouterments to correspond, and a sufficient supply of ammunition, and an order from the Chief of Ordnance for the issue of the same. This issue has never been made, although repeated efforts have been used to obtain it. After great difficulty I have only recently been able to obtain 180 stand of arms without a bayonet or a cartridge. I respectfully and urgently suggest that I should be at once furnished with

arms and accouterments for 500 men and a sufficient supply of ammunition. Also, that I be authorized to purchase horses, saddles, &c., to mount twenty or thirty men, with suitable arms and accouterments for the same, and to make use of energetic measures for the enforcement of the law whenever necessary. I would respectfully remark that other camps have been fully supplied with arms and ammunition on requisitions made subsequently to my own, which had the expressed approval of the Department, and that they are nowhere more needed than here.

I have the honor, sir, to be, very respectfully, your obedient servant,

W. T. WALTHALL,
Major, Commanding.

EXECUTIVE DEPARTMENT,
Milledgeville, November 24, 1862.

His Excellency JEFFERSON DAVIS:

DEAR SIR: As directed by a joint resolution of the General Assembly of this State, of which the inclosed is a copy, I make known their wishes to you, and respectfully request that you direct the Chief of Ordnance to give me an order upon Colonel Rains, of Augusta, for the powder. We anticipate trouble with our slaves during the approaching holidays and fear we shall need the powder. Most of the powder mentioned in the resolution was furnished by the State to supply Fort Pulaski before it fell into the hands of the enemy and to supply our batteries along the coast and around Savannah. Your early attention to this matter will greatly oblige the people of this State.

I am, very respectfully,

JOSEPH E. BROWN.

[Inclosure.]

Whereas, the State of Georgia has heretofore loaned to the Confederate Government about 160,000 pounds of powder; and whereas, the State now needs a portion of the same for its internal police:

Be it therefore resolved by the Senate and House of Representatives, That the Confederate Government is hereby respectfully requested to return to the Governor of Georgia 25,000 pounds of the amount of powder so loaned, as soon as the same can be done, for the use of the State.

Be it further resolved, That a copy of this preamble and resolution be forwarded to His Excellency the President of the Confederate States.

JOHN BILLUPS,
President of the Senate.
JAS. M. MOBLEY,
Secretary of Senate.
WARREN AKIN,
Speaker of the House of Representatives.
L. CARRINGTON,
Clerk of the House of Representatives.

Assented to November 22, 1862.

JOSEPH E. BROWN,
Governor.

GENERAL ORDERS, No. 95. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 25, 1862.*

To carry into effect the provisions of "An act to better provide for the sick and wounded of the Army in hospitals," approved September 27, 1862, the following instructions are published:

1. The commuted value of rations for the sick and wounded in hospitals will be $1. Rations for hospital attendants will be commuted at the rates heretofore fixed by regulations.

2. Commissaries of subsistence will transfer, for the purchase of necessary supplies for sick and wounded, to the medical officer in charge of the hospital (taking duplicate receipts therefor) such portion of the hospital fund as may be demanded, on requisition.

3. Accounts current of the portion of the hospital funds thus transferred will be rendered weekly to the Surgeon-General by the medical officer in charge of the hospital, accompanied by vouchers (No. —) for the expenditures. The fractional part of the week corresponding with the termination of a month will be included in the fourth or last account current of the month. The following form will be adopted:*

4. A copy of the "statement of the hospital fund" will be rendered monthly by medical officers to the Surgeon-General, according to the following form:*

5. When a hospital fund shall exceed $5,000 the commissary of subsistence having the fund in hand will deposit such excess in the Treasury of the Confederate States, or other place of deposit where Government moneys are kept, to be liable to draft, as other public moneys are. Commissaries will account for hospital funds on their monthly abstract and summary statements.

6. The quartermaster will have arrangements made with the various lines of boats for the speediest practicable transportation for supplies for the hospital, and general transportation tickets will be furnished to accredited agents engaged in the actual purchase of these supplies upon the request of the medical officer in charge of hospital.

7. The medical officers in charge of general hospitals will make requisitions on the medical purveyors for hospital suits (shirts, pantaloons, and drawers) for the use of the sick and wounded while in hospital, not to exceed in number the number of beds, while clothing shall be borne on the returns and be accounted for as other hospital property.

8. There will be allowed to each general hospital, with rations and suitable places of lodging, two chief matrons, at a salary not to exceed $40 per month each, whose general duties shall be to exercise a superintendence over the entire domestic economy of the hospital; to take charge of such delicacies as may be provided for the sick; to apportion them out as required; to see that the food or diet is properly prepared, and all such other duties as may be necessary. Two assistant matrons, at a salary not to exceed $35 per month each, whose general duties shall be to superintend the laundry; to take charge of the clothing of the sick and the bedding of the hospital; to see that they are kept clean and neat, and perform such other duties as may be necessary. Two ward matrons for each ward (estimating 100 patients for each ward), at a salary not to exceed $30 per month each, whose general duties shall be to prepare the beds and bedding of their respective wards; to see that they are kept clean and in order; that the food or diet for the sick is carefully prepared and furnished to

*Omitted.

them; the medicine administered, and that all patients requiring careful nursing are attended to, and all such other duties as may be necessary. One ward-master for each ward (estimating 100 patients for each ward), at a salary not to exceed $25 per month each; and such other nurses and cooks, male or female (giving preference to females when their services may best serve the purpose), at a salary not to exceed $25 per month each, as may be necessary for the proper care of the sick. These attendants to be paid monthly, on hospital monthly rolls, by the Quartermaster's Department, and to be removed, when expedient, by the medical officer in charge. Other attendants, not herein provided for, necessary to the service shall be allowed, as now provided by law.

9. If a sufficient number of nurses and ward-masters, not liable to military service, cannot be employed, and it shall become necessary to assign to this duty soldiers in the service, then, upon the requisition of the medical officer in charge of a hospital, the soldiers so assigned, who are skillful and competent, shall be permanently detailed to this duty, and shall only be removable for neglect or inattention, by the medical officer in charge.

10. Hospitals will be known and numbered as hospitals of a particular State. The sick and wounded, when not injurious to themselves, or greatly inconvenient to the service, will be sent to the hospitals representing their respective States, and to private or State hospitals representing the same.

11. The Quartermaster-General will have arrangements made with the railroad companies to reserve seats in one or more cars, as may be necessary, for the use of the sick and wounded soldiers and their attendants to be transported, and until they are seated to prevent other persons from entering those reserved cars; and also to require conductors of the trains to provide for the use of the sick and wounded in the reserved cars a sufficient quantity of pure water.

12. Medical officers in charge of hospitals will detail an attendant to accompany the sick and wounded, furloughed, discharged, or transferred to railroad depots, to see that they are cared for and provided with seats in the reserved cars.

By order:

S. COOPER,
Adjutant and Inspector General.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, N. C., November 25, 1862.

His Excellency President DAVIS:

DEAR SIR: In accordance with my recommendation the Legislature has determined to raise 10,000 men to assist in the winter campaign. I am requested by the military committee to write Your Excellency to know if it will be possible to get any assistance in arms and munitions from the Confederacy, and also if Your Excellency would object to the State organization embracing the remainder of the conscripts under thirty-five years of age. The reason for asking the latter question is because it is thought that the State authorities could get out a considerable number of that class which the Confederate officers would not be able to reach. Please to answer at once, as the committee's action will await your reply, and time is everything.

Very respectfully, your obedient servant,

Z. B. VANCE.

RICHMOND, VA., *November 26, 1862.*

Governor J. E. BROWN, of Georgia:

SIR: The present condition of public affairs induces me to address this circular to the Governors of the several States on a subject of vital importance to our people. The repeated defeats inflicted on the Federal forces in their attempt to conquer our country have not yet sufficed to satisfy them of the impossibility of success in their nefarious design to subjugate these States. A renewal of the attempt on a still larger scale is now in progress; but with manifest distrust of success in a warfare conducted according to the usages of civilized nations, the United States propose to add to the enormous land and naval forces accumulated by them, bands of such African slaves of the South as they may be able to wrest from their owners, and thus to inflict on the non-combatant population of the Confederate States all the horrors of a servile war, superadded to such atrocities as have already been committed on numerous occasions by their invading forces. To repel attacks conducted on so vast a scale the most energetic action of every department of the Government is directed; but appreciating the great value of the cordial co-operation of the different State governments, and with unfaltering reliance on their patriotism and devotion to our cause, I earnestly appeal to them for all the aid it may be in their power to extend to the officers of the War Department in the discharge of their duties within the several States, and for their co-operation in the following important particulars:

First. In the enrollment of the conscripts and the forwarding of them to the proper points of rendezvous.

Second. In restoring to the Army all officers and men now within the States absent without leave, or whose term of absence has expired, or who have recovered from disability and are now able to return to duty.

Third. In securing for the use of the Army all such necessary supplies as exist within the States in excess of the quantity indispensable for the support of the people at home. Prompt action in these matters will save our people from very great suffering, will put our Army on a condition to meet the enemy with decisive results, and thus secure for us an early and honorable peace on the basis of recognized independence. In addition to the above urgent matters I beg respectfully to ask the aid of the Executives of the several States in recommending to the several Legislatures such legislation as will enable the Governor to command slave labor to the extent which may be required in the prosecution of works conducive to the public defense; also the adoption of some means to suppress the shameful extortions now practiced upon the people by men who can be reached by no moral influence, and who are worse enemies of the Confederacy than if found in arms among the invading force. The armies in the field, as well as the families of the soldiers and other of the people at home, are the prey of these mercenaries, and it is only through State action that their traffic can be repressed. Their punishment is ardently desired by every patriot.

I am, very respectfully, your obedient servant,

JEFFERSON DAVIS.

(Same to Governors R. Hawes, of Kentucky; H. M. Rector, of Arkansas; F. R. Lubbock, of Texas; C. F. Jackson, of Missouri; I. G. Harris, of Tennessee; John Letcher, of Virginia; J. G. Shorter, of

Alabama; John J. Pettus, of Mississippi; F. W. Pickens, of South Carolina; John Milton, of Florida; Z. B. Vance, of North Carolina, and Thomas O. Moore, of Louisiana.)

CONFEDERATE STATES OF AMERICA, DEPT. OF JUSTICE,
Richmond, Va., November 26, 1862.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have the honor to acknowledge the receipt of a dispatch (telegraphic) from Lieut. Col. E. D. Blake, addressed to General Cooper, sent by you for my opinion. The question submitted is whether the term "army supplies" in the exemption law is general, or does it apply only to the Ordnance Department. I suppose reference is here made to that portion of the exemption law which declares that "all artisans, mechanics, and employés in the establishments of the Government for the manufacture of arms, ordnance, ordnance stores, and other munitions of war, saddles, harness, and army supplies, who may be certified by the officer in charge thereof as necessary for such establishments," are exempt from military service in the armies of the Confederate States.

The language used as well as the context shows that the term "army supplies" is used in its general sense, and not confined to ordnance stores or other things made in the Ordnance Department. By the terms of the act quoted the army supplies contemplated must be manufactured in the establishments of the Government, under the charge of an officer appointed by the Government. Whatever these army supplies may be, if manufactured in the establishments belonging to and under the control of the Government by artisans, mechanics, or other employés of the Government, they are covered by the law, and the artisans, mechanics, and employés in their establishments, if certified to be necessary by the officer in charge of such establishments, are exempt from military service of the Confederate States. The next clause to the one quoted has reference to artisans, mechanics, and employés in establishments owned by others than the Government, under contracts with the Government, in furnishing arms, ordnance, ordnance stores, and other munitions of war. This clause is subject to a proviso, which places it under the control of the chief of the Ordnance Bureau, and this clause is confined strictly to the Ordnance Department.

I have the honor to remain, very respectfully, your obedient servant,

T. H. WATTS,
Attorney-General.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., November 26, 1862.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond:

SIR: I inclose you herewith a copy of resolutions of the Alabama Legislature approved 25th November, declaring the liability of our militia officers to military duty under the conscription act, and on yesterday I telegraphed to you to the same effect, as follows:

Alabama Legislature has resolved that militia officers are liable to enrollment as conscripts. This will surprise many, and if permissible I ask that they may have thirty days to volunteer into companies in service prior to 16th day of April last.

The spirit of our Legislature is fully up to the emergency of the crisis and the members are fully determined to remove every obstacle which might impede the action of the Confederate Government in the defense of the country, and are now engaged in the consideration of acts which will no doubt pass releasing from the operation of the exemption act large classes of our State officers and declaring them liable to military duty. Many of these officers will be taken by surprise at the announcement of their liability, and in view of this fact and of the determination of the Legislature, reflecting the disposition and feeling of our people, I respectfully suggest that it will be but a fair return that the militia and other State officers thus affected may be allowed thirty days to volunteer in regiments, &c., organized and in service prior to the 16th April, 1862. This will but place them on a footing with others who have heretofore been liable and under the enforcement of the conscription act more easy for the enrolling officers.

Very respectfully, your obedient servant,

JNO. GILL SHORTER.
Governor of Alabama.

[Indorsement.]

DECEMBER 4, 1862.

The ADJUTANT-GENERAL:

I send the order giving the thirty days, as suggested by Governor Shorter's letter.

J. A. S.,
Secretary of War.

[Inclosure.]

JOINT RESOLUTIONS in relation to the liability of militia officers of this State to enrollment under the conscription acts of the Confederate States.

1. *Be it resolved by the Senate and House of Representatives of the State of Alabama in General Assembly convened*, That in the opinion of this General Assembly militia officers of this State between the ages of eighteen and forty-five years are now subject to enrollment under the conscription acts of the Confederate States, unless exempt on some other ground than that they are militia officers.

2. *Be it resolved further*, That if there be any law of this State which has been or may be construed to exempt such officers from the operation of said conscription acts the same is hereby declared to be inoperative to that extent.

3. *Be it resolved further*, That His Excellency the Governor be, and he is hereby, requested to transmit a copy of these resolutions to the Secretary of War of the Confederate States.

Approved November 25, 1862.

OFFICE OF SECRETARY OF STATE,
Montgomery, Ala., November 26, 1862.

I, P. H. Brittan, secretary of state of the State of Alabama, hereby certify that the foregoing is a true and correct copy of the joint resolutions of the Alabama Legislature, approved November 25, 1862, as taken from the original rolls on file in my office.

Given under my hand and the great seal of the State this 26th day of November, 1862.

[SEAL.]

P. H. BRITTAN,
Secretary of State.

A PROCLAMATION BY THE GOVERNOR OF NORTH CAROLINA.

Whereas, in order to stop, if possible, the wicked system of speculation, which is blighting the land, and prevent the production of famine in the midst of plenty, the Legislature of North Carolina, by a joint resolution thereof, ratified on the 22d day of this month (November), have authorized me to lay an embargo upon the exportation from the State of certain articles of prime necessity, except to certain persons and for certain purposes:

Now, therefore, I, Zebulon B. Vance, Governor of the State of North Carolina, do issue this my proclamation, forbidding all persons, for the space of thirty days from the date thereof, from carrying beyond the limits of the State any salt, bacon, pork, beef, corn, meal, flour, potatoes, shoes, leather, hides, cotton cloth, and yarn and woolen cloth. The following persons are alone to be exempted from the prohibition, viz: All quartermasters' and commissary agents of the Confederate Government, and of any State of the Confederacy, exhibiting proper evidence of their official character; also all agents of any county, district, town, or corporation of other States who shall exhibit satisfactory proof of their authority to purchase such articles in behalf of such town, county, district, or corporation for public uses or for distribution at cost and transportation, and not for resale or profit; also all persons who make oath before the nearest justice of the peace that the articles purchased are for his own private use, and not for resale, before they are removed; also all persons, non-residents, who may have bought such articles before the date hereof. The exception is to extend to salt made by non-residents on the sea-coast and in their own works, and to cargoes entering any of our ports from abroad. Any of said articles that may be stopped in transitu from our borders are to be confiscated to the use of the State. Until further orders the colonels of militia in the different counties are enjoined to see that this proclamation is enforced. Not intending or desiring to prevent the people of our sister States from sharing with our own citizens whatever we can spare, but to repress speculation so far as may be possible, I earnestly appeal to all good citizens to aid and sustain me in the enforcement of this proclamation for the coming good.

In witness thereof, I, Zebulon B. Vance, Governor, captain-general, and commander-in-chief, hath signed these presents and caused the great seal of the State to be affixed.

Done at our city of Raleigh this 26th day of November, A. D. 1862, and in the year of our independence the eighty-seventh.

[SEAL.] Z. B. VANCE.

By the Governor:

R. H. BATTLE, JR.,
Private Secretary.

GENERAL ORDERS, No. 96. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 27, 1862.*

Commandants of conscripts will cause the following order to be published for at least seven times in a sufficient number of newspapers in each State of the Confederacy to insure its reaching every part of the country:

I. All commissioned officers and enlisted men who are now absent from their commands from any other cause than actual disability or

duty under orders from the Secretary of War or from their department commanders will return to their commands without delay.

II. Commissioned officers failing to comply with the provisions of the foregoing paragraph within a reasonable length of time, in no case to exceed twenty days after the publication of this order, shall be dropped from the rolls of the Army in disgrace, and their names will be furnished to the commandant of conscripts for enrollment in the ranks.

III. All enlisted men who shall fail to comply with the provisions of paragraph I of this order within a reasonable length of time shall be considered as deserters and treated accordingly, their names to be furnished to the commandant of conscripts in their State for publication or such other action as may be deemed most efficacious.

IV. In order to insure the efficient co-operation of all concerned to carry this order into immediate effect, department commanders are directed to require from the commanding officer of each separate command in their departments a prompt report of the names of all commissioned officers and enlisted men now absent from their commands. These reports must state in each case the cause of absence, and any regimental, battalion, or company commander who shall neglect to furnish such a report, or who shall knowingly be guilty of concealing any case of unauthorized absence, shall, on conviction thereof, be summarily dismissed.

V. Under the provisions of the second clause of paragraph II of General Orders, No. 82, commissioned officers and privates who are incapable of bearing arms in consequence of wounds received in battle, but who are otherwise fit for service, are required, if not otherwise assigned, to report to the nearest commandant of conscripts in their respective States, who will, if they are fitted for such duty, assign them to the collection of stragglers and the enforcement of the provisions of this order, with full powers to call upon the nearest military authority for such assistance as may be necessary thereto.

VI. Officers of the Quartermaster's Department charged with payment of troops are hereby directed not to pay any commissioned officer, non-commissioned officer, or private who does not furnish satisfactory evidence that he is not liable to the penalties described in the foregoing order. Any disbursing officer who shall make payment in violation of this order shall be liable on his bond for the amount of such payment.

By order:

S. COOPER,
Adjutant and Inspector General.

HEADQUARTERS DISTRICT OF EAST FLORIDA,
Tallahassee, November 27, 1862.

Brig. Gen. THOMAS JORDAN,
Chief of Staff and Assistant Adjutant-General:

SIR: I have reason to believe that the duty of enrolling conscripts under the law in this State is being neglected by the officers appointed in each county for that purpose. The camp of instruction has been established some four months, and I am informed there are now more than 140 present. This, with 44 sent from camp to the gun-boat Chattahoochee, would make a total of less than 200 sent up from the several counties in the State. Some counties I understand have furnished none. So long as the duty of enrolling conscripts is intrusted

to State officers, who are in some instances aspirants for political preferment, there is reason to believe that it will be neglected. It is true that there are not a great many conscripts in the State, Florida having furnished for Confederate service a number equal to her entire voting population, but it is due to the brave men who have so promptly volunteered for the defense of the country that those subject to the law should be enrolled and placed in the service. I think His Excellency Governor Milton is satisfied that the law is inefficiently executed, and that if called upon by the Secretary of War he would have no objection to the appointment of Confederate officers or the detail of suitable non-commissioned officers or privates for the enrollment of conscripts in this State. I respectfully submit the matter through the commanding general for the consideration of the Honorable Secretary of War.

I have the honor to be, general, with great respect, your obedient servant,

JOSEPH FINEGAN,
Brigadier-General, Commanding.

[Indorsement.]

HDQRS. DEPT. OF SOUTH CAROLINA, GEORGIA, AND FLORIDA,
Charleston, S. C., December 3, 1862.

Approved and respectfully forwarded for the information of the War Department and such instruction as it may think proper to give.

G. T. BEAUREGARD,
General, Commanding.

EXECUTIVE OFFICE,
Richmond, Va., November 28, 1862.

Col. WILLIAM M. BROWNE,
Aide-de-Camp to the President:

COLONEL: You will proceed with all convenient dispatch to Milledgeville, Ga., and present to His Excellency Governor Brown the letter which you will find herewith.* You will confer with the Governor in relation to the subject of this letter, and represent to him the existing necessity for the adoption of active measures to send forward recruits to fill the thinned ranks of the regiments from Georgia, now in the field, and hoping that the decision of the supreme court of Georgia may be regarded as conclusive of the constitutional question presented, assure him of the pleasure it will afford me to have his co-operation in attaining this important object. After you have seen the Governor, you will put yourself in communication with the commandants of camps of enrolled recruits in Georgia, personally inspect their commands, and report to me the numbers of men enrolled and liable to conscription, and such other facts in relation thereto as may be requisite for better comprehension of the case. You will also inquire into the subject of supplies for the Commissary and Quartermaster Generals' Departments, and with this view you will confer with such officers of these departments in Georgia as you may think proper. When you have concluded the above-mentioned duties you will return and report in person to me.

Very respectfully,

JEFFERSON DAVIS.

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*See November 26, p. 211.

CIRCULAR.] ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, November 29, 1862.

SIR: Your attention is directed to the second clause of paragraph IV, General Orders, No. 82, from this office (copy herewith*), which, among other things, directs that in a given contingency "a commissioned officer for each Congressional district, and a non-commissioned officer or private for each county, city, town, district, or parish, will be assigned to the duty of enrollment of conscripts under the commandant of conscripts."

The same paragraph requires that "in making such assignments officers and men disabled by wounds from active duty in the field, and acquainted with the localities in which they are required to serve, will be selected as far as practicable," and further, that "commanding officers in the field will order such commissioned officers and non-commissioned officers and privates as they think qualified to be enrolling officers or drill officers, and who are unfit for active service in the field, to report to the commandant of conscripts in their respective States, who will order such of them to duty as may be required and report the remainder by letter to the commanding general as not needed for such service."

For your information and guidance a list of the commandants of conscripts for the several States and their stations is forwarded herewith.†

By General Orders, No. 96 (a copy of which you will receive as soon as printed),‡ "commissioned officers and privates who are incapable of bearing arms in consequence of wounds received in battle, but who are otherwise fit for service, are required, if not otherwise assigned, to report to the nearest commandant of conscripts in their respective States, who will, if they are fitted for such duty, assign them to the collection of stragglers," &c.

The importance of this subject must be obvious, and until the selections and assignments required are made it will be impossible to put the regulations which have been adopted for the collection of conscripts into efficient operation.

The call made upon you in my letter of 25th instant for a list of disabled officers was, as then indicated, to assist in details for courts-martial, and incidentally for any exigencies that might arise in the enforcement of the conscript law. Keeping this in view no embarrassment will be experienced on either subject.

I am, &c.,

S. COOPER,
Adjutant and Inspector General.

EXECUTIVE OFFICE,
Richmond, Va., November 29, 1862.

His Excellency Governor BROWN, of Georgia:

DEAR SIR: My aide-de-camp, Col. William M. Browne, will hand you the inclosed circular letter addressed by me to the Governors of the several States.§ I have directed Colonel Browne to confer with you in relation to the subject of this letter, in the hope that by personal interview time may be gained in the accomplishment of the important results which I desire to attain.

Respectfully and truly, yours,

JEFFERSON DAVIS.

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*See p. 164. †Not found. ‡See p. 214. §See November 26, p. 211.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., November 29, 1862.

His Excellency J. E. BROWN,
Governor of Georgia, Milledgeville, Ga.:

SIR: The Department is informed that an act has passed the Legislature of Georgia prohibiting the distillation of whisky, and the Commissary-General having made contracts for a large amount of that article in your State, I have the honor to request that such contracts may be excepted from the operation of the law. I have also to ask that, if consistent with your sense of public duty, you will allow the officers of the Commissary Bureau to continue their arrangements to the extent of 250,000 gallons of whisky without removing the distilleries twenty miles from any railroad, such permission being deemed important to the public service.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., November 29, 1862.

Lieutenant-General PEMBERTON,
Commanding:

GENERAL: An act of the last Congress authorizes the President to accept the services of companies, to be organized into regiments or battalions under the act of May 8, 1861, under his direction, to be composed of men who reside in those portions of the country in which the law of conscription cannot be enforced. The island of New Orleans and the parishes on the river below New Orleans are subject to this act. In case, therefore, that companies are organized of the legal size, composed of inhabitants of these districts and suitably supplied with officers, they will be accepted by this Department; but it must be understood that the conscription law cannot be relaxed in the districts in which it can be executed. There have been many applications to this Department for leaves to raise companies, and this will serve as an answer to such applications.

By order of the Secretary of War:

J. A. CAMPBELL,
Acting Secretary of War.

RICHMOND, VA., *November 29, 1862.*

His Excellency Z. B. VANCE,
Raleigh, N. C.:

SIR: Your letter of the 10th instant suggesting the exemption from military service by direct Executive action of all those charged with the private custody of lunatics and idiots has received careful attention. The clause in the exemption act authorizing the Executive to extend the benefit of the act to cases not specified in it was intended to operate upon individuals and not classes; and in the present reduced condition of so many regiments it is necessary that the law should be rigidly construed. I regret that I cannot consistently adopt your suggestion.

Very respectfully and truly,

JEFFERSON DAVIS.

GENERAL ORDERS, No. 97. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 1, 1862.*

I. Officers of the Quartermaster's Department are expressly prohibited from visiting the seat of government for the purpose of obtaining supplies.

The usual mode of effecting these objects by requisition is deemed sufficient, and no deviation from the established rules of the service in this respect will be permitted without the previous sanction of the Quartermaster-General, obtained through the regular channel of communication.

II. Officers and agents of the Quartermaster's Department are hereby ordered not to interfere with leather purchased or contracted for by officers or agents of the Ordnance Department.

By order:

S. COOPER,
Adjutant and Inspector General.

JOINT RESOLUTIONS in relation to the war debt of the Confederate States.

Whereas, the Government of the Confederate States is involved in a war for the independence of each of the States of the Confederacy, as well as for its own existence; and whereas the destiny of each State of the Confederacy is indissolubly connected with that of the Confederate Government; and whereas the Confederate Government cannot successfully prosecute the war to a speedy and honorable peace without ample means or credit: Be it therefore

Resolved by the Senate and the House of Representatives of the State of Alabama in General Assembly convened, That in the opinion of this General Assembly it is the duty of each State of the Confederacy, for the purpose of sustaining the credit of the Confederate Government, to guarantee the debt of that Government in proportion to its representation in the Congress of that Government.

Resolved further, That the State of Alabama hereby proposes to her sister States of the Confederacy to guarantee said debt on said basis, provided that each of the said States shall accept the proposition and adopt suitable legislation to carry it into effect, in which event these resolutions shall stand as the guaranty of this State for the aforesaid proportion of the debt of the said Confederate Government.

Resolved further, That His Excellency the Governor be, and is hereby, requested to transmit a copy of these resolutions to the Governor of each State of the Confederacy and to the President of the Confederate States.

Approved December 1, 1862.

MILLEDGEVILLE, *December 1, 1862.*

Hon. J. A. SEDDON:

You will greatly oblige me if you will inform me whether [the] order of Mr. Randolph to Major Dunwody not to enroll the commissioned officers of the militia of this State has been canceled and whether the enrollment as conscripts has been ordered. An early reply is respectfully solicited.

JOS. E. BROWN.

[First indorsement.]

Adjutant-General report. Has the order referred to been canceled?

J. A. S.,
Secretary.

[Second indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
December 5, 1862.

Respectfully submitted to the Secretary of War.
There is no evidence in this office of the original order referred to.

JASPER S. WHITING,
Major and Assistant Adjutant-General.

[Third indorsement.]

WAR DEPARTMENT,
December 8, 1862.

No such order appears upon the records of this office.

R. G. H. KEAN,
Chief of Bureau of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, December 2, 1862.

Hon. E. S. DARGAN,
Mobile, Ala.:

SIR: Your letter of the 26th ultimo relative to the cases of Beckham and Stallworth have been received. Cases founded upon the misery and confusion of families, when poverty, infirmity, disease, bereavement, neglect of business, and family distress in aggravated and sometimes in combined forms plead for the discharge of a soldier from the service, are abundant in this Department. But the fact that every army we have in the field is opposed by a superior force and that the fate of the Confederacy is suspended upon the events of a few weeks is the only answer that can be made to considerations of that nature. The cases you present for exemption must be determined by the written law. The opinion of the Department is that the conscription acts and their complements, the exemption acts, do not operate to discharge persons from the Army who have been enlisted for the war. The act of April 16 was executed to provide for the further defense of the country. Its declared object is in view of the exigencies of the country and the absolute necessity of keeping in the service our gallant Army and of placing in the field a large additional force, &c. It enacts "that the President be, and he is hereby, authorized to call out and place in the military service * * * for three years * * * all white men who are residents * * * between the ages of eighteen and thirty-five at the time the call or calls may be made, who are not legally exempted from military service." The conscription act of October 11 enacts in similar terms "that the President be, and he is hereby, authorized to call out and place in the military service of the Confederate States for three years * * * all white men * * * residents * * * between the ages of thirty-five and forty-five at the time the call or calls may be made, and who are not at such time or times legally exempted from military service."

The act of 21st of April on the subject of exemption is the complement to the act of April 16 on the subject of conscription. The

orders for the call were issued 28th of April. The exemption act of October was approved at the same time as the conscription act. The conscription act operates upon a portion of the population not belonging to the Army, and the exemption act applies to limit the generality of that act by a special reference to it. The disbanding of any portion of the Army or the discharge of individual soldiers from the specific contract for service under their enlistment is nowhere spoken of. On the contrary, the act of April with a strong hand retained men in the Army whose contract for service had expired, or would expire in a few days, without any reference to any exemption. The Department does not consider the exemption act of October as applying to exempt persons called out and placed in service in April. The exemption was to exist at the date of the call, and that act was reenacted unless the modification and repeal of that act was specially expressed by the act of October. These general views will explain the decision of the Department upon the case of Beckham. He is in the Army under a contract of service. The police clause in the exemption act has no reference to the Army more than any other. It could hardly have been possible for Congress to propose that every owner of five, six, or twenty slaves (as the State laws may be) should retire from the service to take care of his domestic interests under the name of preserving the police of the country. It might be well that of those between thirty-five and forty-five a portion should be retained to perform police duty and to guard the domestic tranquillity of the country. The case of Stallworth is one of hardship. If he is unable to perform duty he ought to be discharged; but the condition of his body must be decided by officers appointed for that purpose by law. His resignation discharged him from the contract of enlistment or for service as contained in his original muster, but on returning to civil life the law operated on him as to others in civil life. If he is between the ages of eighteen and thirty-five, as is implied, the act of April operates upon him, and the Presidential call, unless it is limited, embraces him. He would not be entitled to apply the exemption act of October, for when the call for service was made the exemption did not exist. But these views are communicated not as a decision of the case, but as suggestions to prepare it. Article X, page 14, as per Orders 82, shows that the facts should be exhibited to the enrolling officer, and that it comes here by appeal from the camp of instruction. A copy of those orders is inclosed.*

By order of the Secretary of War:

Very respectfully,

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, December 2, 1862.

J. D. BURDETT, Esq.,
Enrolling Officer:

SIR: Your letter of the 24th ultimo has been received. The Department found very early that the exemption granted to firemen in Augusta was a mistake. Applications for exemption and abuse of that privilege of exemption was discerned to be an inevitable consequence. The Department has refused the privilege to Atlanta and

* See p. 160.

Columbus within a very few days, and is now compelled to revoke the privilege conceded to Augusta. Firemen are not included in the exemptions specified in the act of October 11 on that subject. Classes of men quite as necessary to the well-being of a community are not exempt; and the action of the Department in allowing such an exemption is questionable in point of law, and cannot but promote discontent among the people. You will, therefore, proceed to enroll persons as conscripts without reference to any exemption or claim to exemption as firemen. The rule that has been applied in other cities must be adopted for Augusta.

For Secretary of War.

Very respectfully, your obedient servant,

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES NITER AND MINING BUREAU,
Richmond, December 3, 1862.

Hon. J. A. SEDDON,
Secretary of War:

SIR: Your attention is respectfully requested to the Government niter service. When called upon to organize this service the superintendent submitted, among other essentials to a rapid and certain increase of supplies, that the officers appointed or detailed should possess special qualifications; the agents to be active business men of good standing; the laborers able-bodied men, and from the generally exposed service that the larger proportion must come from army details, conscripts, and free negro impressments; 3,000 was named as a maximum, including slave labor wherever it could be used. This was approved and the necessary orders were issued. A printed copy of the more important is inclosed.* Work was fairly commenced in May last, and up to the close of October the Bureau returns gave for niter produced and collected, 200,820 pounds; niter from Mexico delivered east of the Mississippi, 38,000 pounds; total, 238,820 pounds. Nitrified material in niter sheds, 120,000 cubic feet, and increasing rapidly. Correct returns from the several ordnance officers for European niter imported have not been all received, but the entire importation probably exceeds the home production. The per diem yield of this production has steadily increased from 200 pounds in April to somewhat over 2,000 pounds in October. This yield very nearly meets the present demands of the service, if not quite. The labor return of force engaged in the production of niter and the supervision of lead mining and sulphur for October gave 1,117 white employés, including agents, clerks, contractors, and laborers, in all the niter districts. The office employés are generally exempts, from physical disability and other causes, but the field or outside force are within conscript age, and necessarily, for the work and localities demand it. A large number of free negroes impressed, together with about 200 slaves, compose the residue of the working force. During the winter the demands for powder must increase from the more frequent use of heavy ordnance. Arrivals from abroad are likely to decrease, and from the shorter days and inclement weather the home production is more likely to diminish than increase.

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* Not found.

The incursions of the enemy are becoming serious. In the Pendleton district several of our establishments have been broken up, kettles smashed, some of the workmen taken prisoners, and all dispersed. The yield for November in this and the adjoining Greenbrier district will be reduced from this cause at least 10,000 pounds. In Tennessee and Upper Alabama our works are frequently interrupted and in a recent case with loss of life. With reference to this, authority has been asked to organize and arm the working forces for their own protection. An order issued authorizes a company of sixty-four nonconscripts to be raised and detailed to guard the Santa Cave. It is respectfully submitted, however, that the Government interests will be better met by making the workmen guard their own works under an organization similar to sappers and miners. As an important precedent the reconsideration of this order is requested. On the army movements of Tennessee and Virginia during the present month depend at least 40 per cent of our home niter production. The supply of powder and saltpeter now on hand is considered ample for all contingencies of three months, and probably for the winter. But the supply thereafter becomes the subject of concern, and it is recommended that the closest economy be directed in issues for coal mining and railroad work. It only remains to press production from domestic sources in the interior districts. The most earnest efforts have been made by publication, printed and personal appeals, from influential sources, sending agents to instruct families and to collect, but with discouraging results. Our planters and people in the several States from Virginia to Mississippi, in all of which niter districts have been organized, do not sufficiently respond to dispense with Government work and, in part, conscript labor. This is now reluctantly, and with great effort to avoid it, submitted as a necessity for a future supply at all approaching army wants. I have respectfully to request a general order directing the extension of niter production in the interior districts of North Carolina, Georgia, and Alabama, and, if operations are thus to be extended, authorizing the use of conscript labor where indispensably needed.

Very respectfully, your obedient servant,

I. M. ST. JOHN,
Major and Superintendent.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
NITER AND MINING BUREAU,
Richmond, December 3, 1862.

Hon. J. A. SEDDON,
Secretary of War:

SIR: In connection with an official communication of this date I respectfully call your attention to the frequent communications from enrolling officers on the subject of conscript labor in the niter service; also to the official indorsements on the letter of Major Swanson, Camp Watts, November 19, and Major Mallett, Raleigh, November 8.

Under past orders from the Department contracts have been made and details granted from the Army and from conscripts. To guard against possible abuse of these exemptions, all niter agents have been instructed to assess every individual holding a certificate at a reasonable per diem of work, to report cases of non-compliance to the

nearest enrolling officer, and otherwise to facilitate the discharge of his duty. These instructions have been obeyed to the extent of my official information. It is certainly the case that many attempts have been made by designing men to avoid military service through niter as well as through commissary, ordnance, and other contracts of the service, and whatever ground there really exists for complaint comes from this source. But in no one instance thus far has any agent of this Bureau been found to be improperly connected therewith. One case is now under official investigation upon specified charges called for from the office complaining. The number of these communications is owing to the frequent change of the enrolling and recruiting officers and their entire misapprehension of the nature and wants of the niter service. Previous to the issue of Order 66 our workmen were forcibly taken from niter works, and three times from one of the Virginia caves. Frequent apologies have been made for wrong done when facts were ascertained, and in one case by a general commanding department. But I regret to perceive from an official indorsement of Judge Campbell, referred to, that the amende does not reach the office which files these complaints, and that a misapprehension injurious to the service and unjust to the officers of this corps is fast gaining ground, viz, that the niter service if not an evasion of public duty is at least of secondary importance.

With two or three unimportant exceptions, appointments in the Niter Corps as officers or agents were not solicited but were tendered; in several cases, upon an appeal from the superintendent, higher rank and more desirable service have been given up. I am sure that I speak for all the officers of this Bureau, in saying that they continue their present employment only under a sense of duty, and they do not wish to continue one moment longer than their services are considered more valuable in producing munitions of war than in the ranks.

It is therefore respectfully requested that the Department intimate by a general order whether this service is of sufficient importance to be continued—though conscript labor be necessary.

Also, whether the labor necessary to produce saltpeter shall stand on the same footing as to exempts with that in ordnance shops and foundries, or otherwise.

Very respectfully, your obedient servant,

I. M. ST. JOHN,
Major and Superintendent.

[Indorsement.]

In transmitting this communication I deem it just to the office of the Niter Bureau to say that whatever suspicion is now cast upon their service is probably due to irregularities existing prior to the organization of the Bureau—irregularities which they have labored successfully to correct in most cases.

It was reported to me that an officer of the Subsistence Department in North Carolina undertook to give niter contracts to his neighbor, without the shadow of authority, and that he gave exemptions upon such contracts. Such unauthorized action it has been the duty of this corps of officers to correct, but they have nevertheless borne a portion of the odium arising from them.

I commend the suggestion of Major St. John to special attention.

J. GORGAS,
Colonel.

GENERAL ORDERS, No. 98. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 3, 1862.*

Col. William M. Wadley, assistant adjutant-general, is hereby specially assigned to take supervision and control of the transportation for the Government on all the railroads in the Confederate States.

1. He is empowered to make contracts for transportation with said railroads, or any of them, and such negotiations and arrangements with them as may be requisite or proper to secure efficiency, harmony, and co-operation on the part of said railroads, or any proper number of them, in carrying on the transportation of the Government.

2. He will take direction of all agents or employés engaged by the Government in connection with railroad transportation; will retain, engage, or dismiss such as may be requisite, and take charge of and employ all engines, machinery, tools, or other property of the Government owned or used for railroad transportation; and may exchange, sell, or loan such machinery with or to any railroad company to facilitate the work of transportation; and may generally assist and co-operate with the railroads in effecting the work of transportation.

3. The better to accomplish such ends, he may require co-operation and assistance to such an extent as can be reasonably granted by the Quartermaster and Commissary Bureaus; and may apply for details from the Army of such artisans, mechanics, and workmen as may be necessary to facilitate the due accomplishment of his duties.

4. He will report, through the Adjutant and Inspector General, to the Secretary of War.

By order:

S. COOPER,
Adjutant and Inspector General.

DALTON, *December 3, 1862.*

Hon. J. A. SEDDON,
Secretary of War:

I beg leave to repeat my telegram of 1st instant. You will greatly oblige me if you will inform me whether the order of Mr. Randolph to Major Dunwody not to enroll the commissioned officers of the militia of this State has been annulled, and whether the enrollment as conscripts has been ordered. An early reply is respectfully solicited.

JOS. E. BROWN.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., December 3, 1862.

His Excellency Z. B. VANCE,
Governor of North Carolina:

SIR: Your letter to the President informing him of the prospect of a law for the raising of 10,000 men in your State to assist in the winter campaign, and asking to be informed whether any assistance in arms and ammunition may be expected from the Confederation, and also to know whether objection would be entertained to the State organization embracing the remainder of the conscripts under thirty-five years of age, has been referred by him to this Department. In reply I have

to say that it is hoped the assurances generally given a few days since to a committee of your Legislature in a conference with the President will have inspired the fullest confidence in the desire of the President and this Department to do all in the power of the Government for the defense of your State, and with that end to co-operate with and advance the laudable efforts of your authorities to add to existing forces. Still, while every disposition will exist in this Department to afford arms and munitions to such State forces as may be raised, yet, in view of possible contingencies under the exigencies of the service, the Department cannot feel certain of having arms and munitions at command, and can come under no positive engagement to supply them. I am instructed, too, to say that the President does not feel authorized, under the existing provisions of the conscript law, to relinquish claim on any of the persons who are made subject to its operation and liable to be called into the Confederate service. Only those beyond the prescribed ages or exempt under the law are, by the intendment of that law, subject to be recruited and organized for retention in State service; but most valuable assistance may, and it is hoped will, be rendered by the co-operation of the State authorities as well in the enforcement of that law as by the employment of those not subject to conscription, in swelling under State authority our means of defense.

With assurances of the highest respect and esteem,

Your obedient servant,

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., December 4, 1862.

His Excellency JOHN GILL SHORTER,
Governor of Alabama:

SIR: I have the honor to acknowledge your communication of November 26, inclosing a copy of the joint resolutions of the Senate and House of Representatives of the State of Alabama, approved November 25, 1862. These resolutions impart great satisfaction to this Department. By devoting the officers of her militia to the service of the Confederacy, Alabama evinces now, as ever heretofore during the war, the high patriotic spirit with which she responds to all demands on the valor and resources of her people to achieve the common safety and independence of the States. Such course must meet the grateful appreciation of the whole Confederacy and confer lasting honor on her in the records of history. This Department is too sensible of the sacrifices (involved by this act of disinterestedness) on the part of the officers subjected by the resolution not to respond most cheerfully to the suggestion made by Your Excellency to lighten them by allowing thirty days within which they may volunteer into companies in service prior to the 16th day of April last. The order shall be given accordingly.

Accept assurances of the high consideration and esteem with which I remain,

Most respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

ORDNANCE BUREAU,
Richmond, December 5, 1862.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: The purchases of ordnance and ordnance stores in foreign markets on Government account are made by Maj. Caleb Huse, C. S. artillery, who resides in London, and whose address is No. 38 Clarendon Road, Notting Hill, London West. Major Huse was detailed for this duty in April, 1861.

His instructions directed his attention chiefly to the purchase of small-arms, but his list embraced all the most necessary supplies. Under these instructions he has purchased arms to the number of 157,000 and large quantities of gunpowder, some artillery, infantry equipments, harness, swords, percussion-caps, saltpeter, lead, &c.

In addition to ordnance stores, using a rare forecast, he has purchased and shipped large supplies of clothing, blankets, cloth, and shoes for the Quartermaster's Department without special orders to do so.

Of course a large proportion of his purchases have fallen into the hands of the enemy.

To pay for these purchases funds have been from time to time sent to him by the Treasury Department, on requisitions from the War Department, amounting in the aggregate to $3,095,139.18. These have been wholly inadequate to his wants and have fallen far short of our requisitions. He was consequently in debt at latest advices to the amount of £444,850, a sum equivalent, when the value of exchange is considered, to $5,925,402 of our currency.

While this capacity for running in debt is the best evidence of the ability of Major Huse, the debt is a matter that calls for immediate attention.

An agent, Mr. Norman S. Walker, was lately dispatched with $2,000,000 in bonds of the Confederate States.

The instructions to Mr. Walker direct him to return to Bermuda after the disposition of the bonds in England and after conference with Major Huse.

He is to remain there as a resident disbursing agent, and is, in conjunction with Mr. S. G. Porter, charged with the transfer of the cargoes of the Harriet Pinckney, now there, and other ships hereafter to arrive, to the ports of the Confederate States.

It is respectfully urged that further and immediate steps should be taken by the Treasury Department to supply funds for the liquidation of this indebtedness.

A large part of the cargoes have been landed at Nassau, and thence transmitted to the ports of the Confederate States in fast steamers. Their destination has lately been changed to Bermuda, where several most valuable cargoes are now awaiting transportation. It appears to me to be the appropriate duty of the Navy Department to assist in the running in of these cargoes; but if the burden of it is to be borne entirely by the War Department it is highly important that light-draft steamers should be purchased and used solely for the transportation of cargoes from Bermuda.

I have made this statement for the information of the Honorable Secretary of War, at the suggestion of the Assistant Secretary of War,

and respectfully call special attention to the subject of funds to be transmitted and to the transfer of stores from Bermuda here.

Very respectfully, your obedient servant,

J. GORGAS,
Colonel and Chief of Ordnance.

GENERAL ORDERS, No. 99. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 5, 1862.*

The superintendent of the Niter and Mining Bureau is authorized and directed to press the home production of niter from plantation and domestic sources. Where indispensable the labor of conscripts is authorized in interior districts, and details will continue to be made as at present; but officers and agents of the Bureau will exercise especial caution to use this labor as a last resort. Resignations in the Niter and Mining Corps must be placed upon the same footing with resignations in the line in front of the enemy. Faithfully executed, this service is second to no other engaged in the public defense.

By order:

S. COOPER,
Adjutant and Inspector General.

SPECIAL ORDERS, No. 285. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 5, 1862.*

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XIV. Militia officers and other State officers of the State of Alabama who may be or have been declared by the Legislature of said State to be subject to conscription will be allowed thirty days to volunteer in regiments and companies organized and in service prior to April 16, 1862.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, December 5, 1862.

Lieut. Col. J. B. WEEMS,
Commanding, Calhoun, Ga.:

Your letter of the 26th has been received. The principal points to be attended to in respect to the distribution of conscripts are disposed of in article No. 5, paragraph VIII, of the General Orders, No. 82. The commandant of the conscripts by that paragraph will determine the quota to which each regiment is entitled in order to fill it to its maximum, and it is under his direction that the action contemplated in article 3, paragraph X, of the orders must be carried out. The principle of apportionment of conscripts is that of equality "in proportion to their respective deficiencies," and it was not designed to disturb that rule of equality by permitting the commanding general in the field to detail officers for the purpose of enrolling for particular

regiments, &c. There is no direction to the commanding general of a department or of an army to apply to this Department for a permission to detail officers to make enrollments. He may do so under the Orders 82 without such a permission. But the action of those officers is to be regulated by instructions from the commandant of conscripts, and they cannot make any disposition of them without his consent. That disposition is subject to the rule before stated. The object of the privilege conceded to the commanding general was not that he might appropriate a greater number of conscripts than others, but only by superior energy and activity he might obtain his quota with more rapidity than others. The paragraph, or paragraph X, with this explanation, will be intelligible.

For the Secretary of War.

Very respectfully, your obedient servant,

J. A. CAMPBELL,
Assistant Secretary of War.

[DECEMBER 6, 1862.—For Vance to Seddon, recommending delay in the destruction of cotton in the State of North Carolina, &c., see Series I, Vol. XVIII, p. 792.]

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 100. } *Richmond, December 8, 1862.*

I. The following act and regulations in reference thereto are published for the information of all concerned:

AN ACT to repeal the law authorizing commutation for soldiers' clothing, and to require clothing to be furnished by the Secretary of War in kind.

The Congress of the Confederate States of America do enact, That so much of the existing law as provides commutation for clothing to the soldiers in the service of the Confederacy be, and the same is hereby, repealed; and hereafter the Secretary of War shall provide in kind to the soldiers, respectively, the uniform clothing prescribed by the Regulations of the Army of the Confederate States; and should any balance of clothing be due to any soldier at the end of the year, the money value of such balance shall be paid to such soldier, according to the value of such clothing fixed and announced by order from the War Department.

Approved October 8, 1862.

II. In accordance with the above act of Congress no payment of commutation for clothing will be made for a period extending beyond October 8, 1862. When payment of said allowance has been made prior to the promulgation of this order, for a term which will not expire until after the date of this act, issues of clothing in kind will be made, to commence at the end of such period. Where it has not been so paid clothing will be furnished from the 8th of October, 1862.

III. A soldier is allowed the uniform clothing stated in the following table, or articles thereof of equal value. When a balance is due him at the end of the year he will be allowed the money value thereof, as herein set forth, to be paid him upon the muster and pay roll of his company. When he shall have drawn clothing in excess of the amount allowed it will be charged against him upon the muster and pay roll of his company. If discharged before the expiration of the year, and he shall not have been furnished with clothing

in kind, or paid commutation thereof, for the period of service rendered since the 8th of October, 1862, he will be entitled to receive the money value of the clothing allowed, in proportion to such period of service:

Clothing.	For three years.			Price of each article.
	First.	Second.	Third.	
Caps, complete	2	1	1	$2.00
Cover	1	1	1	38
Jackets	2	1	1	12.00
Trousers	3	2	2	9.00
Shirts	3	3	3	3.00
Drawers	3	2	2	3.00
Shoes ..... pairs	4	4	4	6.00
Socks ..... do	4	4	4	1.00
Leather stock	1	.....	.....	25
Greatcoat	1	.....	.....	25.00
Stable frock (for mounted men)	1	.....	.....	2.00
Fatigue overalls (for engineers and ordnance)	1	1	1	3.00
Blanket	1	.....	1	7.50

IV. When clothing is needed for issue for the men the company commander will procure it from the quartermaster on requisition, approved by the commanding officer.

V. Ordinarily the company commander will procure and issue clothing for his men twice a year. At other times in special cases such articles as the soldier may need will be issued to him.

VI. Officers receiving clothing will render quarterly returns to the Quartermaster-General.

VII. Commanders of companies will take the receipts of their men for the clothing issued to them, on a receipt roll, witnessed by an officer, or in the absence of an officer by a non-commissioned officer, the witness to be witness to the fact of the issue and the acknowledgment and signature of the soldier. The several issues to a soldier to be entered separately on the roll, and all vacant spaces on the roll to be filled with a cipher. The roll is the voucher for the issue to the quarterly return of the company commander. Extra issues will be so noted on the roll.

VIII. Each soldier's clothing account is kept by the company commander in a company book. This account sets out only the money value of the clothing which he received at each issue, for which his receipt is entered in the book, and witnessed as in the preceding paragraph.

IX. When a soldier is transferred or detached the amount due to or by him for clothing will be stated on his descriptive list.

X. When a soldier is discharged the amount due to or by him for clothing will be stated on the duplicate certificates given for the settlement of his accounts.

XI. Deserters' clothing will be turned into store. The invoice of it, and the quartermaster's receipt for it, will state its condition and the name of the deserter.

XII. The inspection report on damaged clothing shall set out, with the amount of damage of each article, a list of such articles as are fit for issue, at a reduced price stated.

XIII. Commanding officers may order necessary issues of clothing to prisoners and convicts, taking deserters' or other damaged clothing when there is such in store.

XIV. In all cases of deficiency or damage of any article of clothing or camp or garrison equipage the officer accountable for the property is required by law to show, by one or more depositions setting forth the circumstances of the case, that the deficiency was by unavoidable accident or loss in actual service, without any fault on his part, and in case of damage that due care and attention were exerted on his part, and that the damage did not result from neglect.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, December 8, 1862.

J. W. ELLIS, Esq.,
Senate Chamber, Raleigh, N. C.:

SIR: I have received your application for discharge on the ground that you are a member of the Legislature of North Carolina. Neither the exemption law of October nor that of April, 1862, operated to discharge persons from service. The Department has granted furloughs to other members of the Legislature of North Carolina, to extend one week beyond the expiration of the session at which their presence was necessary.

Your obedient servant,

JAMES A. SEDDON,
Secretary of War.

QUARTERMASTER-GENERAL'S OFFICE,
Richmond, December 9, 1862.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I respectfully beg leave to again call your attention to the operation of General Orders, No. 98, assigning Col. W. M. Wadley, assistant adjutant-general, to the supervision and control of railroad transportation, and also to repeat some of the views I had the honor to present to you verbally. By the provisions of the Army Regulations the Quartermaster's Department has been charged with the duty of providing transportation for troops and all army stores, equipage, and supplies. During the present war it is well known the Government has been greatly dependent upon the railroads of the Confederacy for the transportation of troops and supplies, and has been obliged to employ them to the utmost extent of their capacity. All contracts with the railroad companies have been made by this department, and the payment of their accounts has consumed a large proportion of the estimates made for expenses of military transportation. The control of this important means of transportation has been one of the most responsible duties of this department, mainly because of its intimate connection with the movements of our armies in the field and their dependence upon it for the prompt delivery and quick removal of military supplies; and the railroads have become so much identified with most of the duties of this department that much inconvenience, confusion, and embarrassment will result if their supervision be transferred to another department of the public service altogether unconnected with this. I do not object to the policy of

placing all railroad transportation under the supervision of an able and competent officer, as Colonel Wadley is known to be; on the contrary, I had the honor to suggest that such an arrangement should be made, with the expectation, however, that the superintendent of this transportation should report to this department and act under its authority. The absolute necessity for this is, I submit, most apparent, as it is essential to the dispatch of the business of this office that I should be regularly and promptly informed of such regulations for railroad transportation as might be adopted by the general superintendent, and particularly that I should be advised of the terms of compensation agreed upon, that the necessary estimates to provide for its payment might be made. For these and other reasons, which will be readily suggested, I submit that the effect of the general order referred to will be to occasion difficulty and embarrassment to this department unless Colonel Wadley be directed to report regularly to this office.

A. C. MYERS,
Quartermaster-General.

GENERAL ORDERS, No. 101. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 9, 1862.*

I. Clause 1, paragraph VI, General Orders, No. 82, current series, is so amended as to provide that one of the three surgeons for each Congressional district shall be a medical officer of the Army, and that the two others (to be recommended by the commandant of conscripts to the Adjutant and Inspector General) shall be selected from Congressional districts different from that in which they are to examine conscripts.

II. As in the case of "barrels and sacks," officers of the Subsistence Department receiving beeves will deliver to the commissaries from whom they draw supplies a like number of hides. The issuing commissary will transfer them to the quartermaster charged with their collection.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA,
QUARTERMASTER-GENERAL'S DEPARTMENT,
Richmond, December 11, 1862.

Hon. JOHN GILL SHORTER,
Governor of Alabama, Montgomery:

SIR: Your communication of the 20th of November to the Secretary of War, inclosing copy of an act of the General Assembly of Alabama to aid in providing shoes for the Alabama soldiers in the Confederate Army, &c., has been referred to this office. In reply thereto I have to state as follows: The State of Alabama will be allowed $7 for each pair of shoes furnished to this department on account of Alabama soldiers, and the same will be distributed as far as practicable in strict accordance with the directions given by the State authorities.

Your obedient servant,

A. C. MYERS,
Quartermaster-General.

Resolutions in relation to the present war.

Whereas, the State of Georgia has, in a spirit of fraternal sympathy, pledged herself by resolutions solemnly adopted by her Legislature to co-operate with her sister States of the Confederacy in the impending struggle for our lives and liberties, and to this end to contribute all the means at her command to the support of the common cause: Therefore

Be it resolved by the Senate and the House of Representatives of the State of Florida in General Assembly convened, That it is the sense of this Legislature that Florida, one of the first States to secede from the old Union, will be one of the last to lay down its arms, and in the impending struggle will stand by her sister States to the last man and the last musket, until peace is established on the basis of a separate nationality, and the independence of the Confederate States is unconditionally acknowledged by the United States.

Be it further resolved, That a copy of said report and resolution be transmitted to the President of the Confederate States, and also to the Governors of each State, and to the Congress of the Confederate States.

Passed the House of Representatives December 9, 1862. Passed the Senate December 9, 1862. Approved December 11, 1862.

NASSAU, NEW PROVIDENCE, *December 12, 1862.*

Hon. G. W. RANDOLPH,
Secretary of War, Richmond:

SIR: My last dispatch was under date of the 12th ultimo by the Kate, since which the steamers Herald (now Antonica) and Leopard have arrived from Charleston. I have shipped by the Antonica the following remnants *ex* Melita:* Five cases knapsacks, 3 cases boots, 3 cases percussion-caps, 1 case saddlery, 2 cases cavalry saddlery, 1 case friction-tubes, 2 cases bayonet scabbards, 5 bales army cloth, 2 bales army cloth.

Also to Dr. Chisolm, medical department, South Carolina and Georgia, 6 cases and 3 barrels medicines. By the Leopard, to leave in three days, I shall clear up the odds and ends of the Melita's cargo, besides 50 cases Enfield rifles, some medicines for Dr. Chisolm, and about 2 tons of steel to Captain Childs. Both the Antonica and Leopard carry a large quantity of iron plates, a considerable shipment of woolens, all the blankets and shoes that could be got together, and a variety of other useful stuff on private account.

Mr. S. G. Porter, Government agent, arrived here on the Herald, bound to Bermuda, but was detained for some time by sickness. The communication between here and Bermuda being so sparse, Mr. Porter concluded to charter a schooner, and would have left ere this but for a violent storm that has prevailed for some days past. I expect he will get off by the day after to-morrow. Mr. Porter has fully explained to me the important nature of the business confided to him, but I am apprehensive he may be partially thwarted by the paucity of suitable steamers to transship Government property from Bermuda to the Confederacy. As far as I can learn, all the suitable steamers from England are bound to this place, the owners deeming it the best policy to load at Nassau. It is very certain they have

* Commercial marks omitted.

taken a strong objection to Bermuda. Mr. George Wigg, formerly of New Orleans, and a very intimate personal friend, expects several steamers here, but is unwilling to divert them to Bermuda unless at a difference of freight, which I consider to be admissible. Still, he is anxious to further the interests of Government and will give us the preference of room over all other parties. If Mr. Porter should be blocked in his operations at Bermuda I have counseled him to send a cargo here, which I could dispatch in a very brief period.

Captain Malcolm, the naval commander at this station, assured me the day before yesterday that the Federal cruisers have received express instructions from their Navy Department not to molest neutral vessels bound from a neutral to a neutral port, even if laden with munitions of war, unless the course of the vessel should justify a reasonable suspicion that she intended to violate the blockade. To use his own language, she would be in the legal prosecution of her voyage, and her seizure under such circumstances would be decidedly illegal. This source of apprehension removed, it might perhaps be good policy to divert some of the accumulation of stuff at Bermuda to this place, so as to get it into the Confederacy at the earliest moment. The steamer Antonica, one of George Wigg's vessels, left England on the 3d ultimo for Saint Thomas, and instructions have been sent to her to proceed to Havana, where she will take a pilot and run the blockade at Mobile. She is a clear eleven and a half knot boat, and has a very valuable cargo, consisting in part of 22,000 pairs of shoes, 30 tons of gunpowder, blankets, &c. The steamers Pearl and Eagle (paddle), sixteen to eighteen miles an hour certain, are expected here every moment. The Thistle (a fast screw) will be due in eight days. Then there is a new screw, under a builder's guaranty of £5,000 to run fourteen miles an hour, carrying 700 tons of cargo, which will be out on the 20th proximo. All these are George Wigg's vessels, so that you will perceive the facilities offered for the transshipment of cargo. In addition to these there are no less than six steamers expected to make their appearance within the next sixty days. Before that time no less than 100,000 pairs of shoes and a vast quantity of blankets will reach this place, irrespective of some private ventures which will increase the amount.

I have mentioned these matters so that in case the necessity arises you will appreciate the reasons that may compel Mr. Porter to send some of the Government property from Bermuda to this place. Mr. Porter has no doubt addressed the War Department fully on the subject, and any instructions that may be deemed requisite to carry out its views here will be promptly obeyed.

I am, very respectfully, your obedient servant,

L. HEYLIGER.

[DECEMBER 12, 1862.—For Pickens to Davis, and Davis' reply (14th) in relation to execution of conscript law in South Carolina, see Series I, Vol. LIII, p. 269.]

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 104. } *Richmond, December 13, 1862.*

I. Encampments of troops near towns and villages must be avoided where it is not indispensable. Whenever it is so, a sufficient force for guards and outposts must be selected from the best disciplined

troops, and assigned as a garrison, &c.; and officers and men will not be permitted to enter the town or village except on written permission of the commanding officer.

II. Arms must not be carried from the camp, nor will mounted men in camps be permitted to ride their horses, except upon duty.

III. Private property is invariably to be respected, and must not be taken or used, except when indispensable for the public service, and then only by orders of competent authority, and in the manner pointed out in the Army Regulations and orders of the Quartermaster and Commissary Departments.

IV. The reckless destruction of fencing, wood, and other property of the citizens, which has occurred in so many instances, cannot be too strongly condemned. Commanders of troops of whatever grade should, by the exercise of diligence and strict discipline, endeavor to prevent such results, entailing, as they will, poverty upon individuals and useless expense on the Government. Fencing ought not to be disturbed where it can possibly be avoided; and when wood is necessary for the public use, that which is least valuable must be selected with as little waste as practicable.

V. A careful observance of these orders is enjoined on the Army as of the first importance to the public interests. All violations of them are directed to be reported to the proper authority for such punishment as may be requisite.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMEET,
Richmond, December 13, 1862.

His Excellency JOHN GILL SHORTER,
Governor of Alabama:

SIR: Owing to some inadvertence unusual in the Department, your letter inclosing liberal and patriotic resolutions of the Senate and House of Representatives of Alabama, tendering aid in procuring supplies of shoes for the Army, did not come under my observation until a day or two since. I have therefore to apologize for my delay in responding, which rendered necessary the telegram from you. To that telegram I replied as soon as I could confer with the Quartermaster-General. I have only now to reiterate the assurance of my telegram that all shoes suitable for the Army will be taken thankfully and paid for at $7 per pair, and that in distributing them the Quartermaster-General shall be instructed to conform as far as practicable to your wishes. I cannot refrain from once more acknowledging with grateful appreciation the zeal and liberality manifested by your State in sustaining the common cause of the Confederacy.

With sentiments of high respect and esteem, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

[DECEMBER 13, 1862.—For Seddon to Lubbock, in relation to a suspension of the conscript law in Texas, see Series I, Vol. LIII, p. 838.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., December 13, 1862.

Maj. J. C. JOHNSTON,
Athens, Tenn.:

MAJOR: You are hereby instructed to report to General J. E. Johnston, and under his directions select a suitable location for a camp of instruction for Kentucky recruits. You are to receive and muster into the Confederate service such Kentuckians as wish to join it, to afford them shelter and instruction, and otherwise properly provide for them for a reasonable time, giving each of them the selection of the Kentucky regiment to which he will attach himself, and transportation to it when the selection is made. In case they prefer it, when enough recruits are assembled to form a company they shall be organized into a company under the conscript act by the election of their officers, and the company attached to whatever Kentucky battalion of the line they may elect not having ten companies.

You are directed to observe a conciliatory course toward recruits, and to induce as large numbers as possible to avail themselves of the benefit of your camp. The camp should be located as near the Kentucky line and in as plentiful a region as is safe.

Report any case of difficulty immediately to this Department. Except as above directed, you are instructed to observe General Orders, No. 82, herewith inclosed.*

Very respectfully, your obedient servant,
JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, TREASURY DEPT.,
Richmond, December 15, 1862.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have received to-day copy of Colonel Gorgas' letter of 5th December, sent me in yours of the 12th instant, in relation to money required to meet purchases of arms in Europe. As far back as 28th May last I notified your Department that the absence of commerce had cut off the supplies of sterling exchange, and that some arrangement had better be made between the War and Navy Departments for the appropriation of the limited amount which could be purchased. No such arrangement was made, and the requisitions of the Navy Department absorbed what was then on hand. Since that time I have purchased all the exchange which could be had, paying as high as $3 for $1. Bonds were then sent over to Europe to raise funds for the use of both Departments, of which no account has yet been received; and to pay for the purchases ordered by the Quartermaster-General a letter of credit in advance of funds was sent to our bankers in favor of Major Ferguson for $500,000. This credit will probably exhaust all the funds which will be at our credit from bills of exchange upon Major Ferguson's arrival in Europe. Since that time we have continued to purchase all the exchange which has been offered, and have added an authority to our agent to make use of the $2,500,000 of coin of the Bank of Louisiana, which was seized for the use of the Government. You will perceive, therefore, that although without any knowledge of the wants of Colonel Gorgas or his contracts, this Department has used every exertion to place funds in Europe. Permit

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*See p. 160.

me to add that when contracts to so large an extent as those mentioned by Colonel Gorgas are made payable abroad without consultation with this Department it cannot hold itself responsible for any failure to pay them.

Respectfully,

C. G. MEMMINGER,
Secretary of the Treasury.

[First indorsement.]

To Ordnance Bureau and then file.

J. A. S.,
Secretary.

[Second indorsement.]

DECEMBER 29, 1862.

Respectfully returned.

Following letters have been written: July 12, 1862, requested that £250,000 be sent to Major Huse as soon as practicable. October 24, 1862, called Secretary's attention to indebtedness of Major Huse and submitted an account from Major Huse's letter. December 5, 1862, recapitulating Major Huse's account, showing disbursements and funds wanted.

J. GORGAS,
Colonel.

GENERAL ORDERS, No. 105. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 15, 1862.*

I. Some confusion having occurred in the payment of troops in hospital, as authorized in paragraph III, General Orders, No. 65, modified by paragraph I, General Orders, No. 67, and by paragraph II, General Orders, No. 68, it is hereby directed that the orders above referred to be so limited as to embrace only the monthly pay of the soldier mustered on the hospital rolls; and all quartermasters making payments to troops referred to in said orders are required regularly to forward, through the Adjutant and Inspector General's Office, to the company commanders of such troops (to be noted on the company rolls) an accurate list of the persons and amounts so paid and the particular time for which such payments have been made.

II. No transportation tickets will be issued except when the applicant presents conclusive evidence that he has proper authority for his absence from his command and is entitled to transportation. A register will be kept in the transportation office, upon which the name of the applicant for transportation and the authority upon which transportation is given will be recorded in every case. Every precaution will be taken against imposition and fraud, and whenever such fraud or imposition is detected it will be immediately reported to the proper authorities.

By order:

S. COOPER,
Adjutant and Inspector General.

Resolution to guarantee by the States the debt of the Confederate Government.

Whereas, the Government of the Confederate States is involved in a war for the independence of each of the States of the Confederacy

as well as for its own existence; and whereas the destiny of each State of the Confederacy is indissolubly connected with that of the Confederate Government; and whereas, also, the Confederate Government cannot sucessfully prosecute the war to a speedy and honorable peace without ample means and credit:

Resolved, therefore, by the Senate and House of Representatives of the State of Florida in General Assembly convened, That this General Assembly concurs in the opinion of the General Assembly of the State of Alabama that it is the duty of each State of the Confederacy, for the purpose of sustaining the credit of the Confederate Government, to guarantee the debt of that Government in proportion to its representation in the Congress of that Government.

Resolved further, That the State of Florida hereby accepts the proposition of the said State of Alabama to guarantee said debt on said basis, provided each of the said States shall accept the proposition and adopt suitable legislation to carry it into effect, and that their resolutions shall stand as the guaranty of this State of the aforesaid proposition of the debt of the said Confederate Government.

Resolved further, That His Excellency be, and is hereby, requested to transmit a copy of these resolutions to the Governor of each State of the Confederacy and to the President of the Confederate Government.

Passed the Senate December 13, 1862. Passed the House of Representatives December 15, 1862. Approved by the Governor December 15, 1862.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., December 15, 1862.

ROBERT BUNCH, Esq.,
Consul of Her Majesty
the Queen of Great Britain and Ireland, Charleston, S. C.:

SIR: The receipt of your letter of the 10th instant, in which you say that you "have been informed that James E. Haley has been forced into the camp at Knoxville," and complains of "the persistent ill-treatment of a British subject, perpetrated in violation of all international law and the law of the Confederate States," and protest against the "violence committed upon James E. Haley, a subject of the Queen of Great Britain," and express yourself as injured "by the want of common courtesy," which has been shown to yourself in this matter, not even a reply being returned to your letter, and finally threaten to call the "attention of Earl Russell to the increasing and apparently systematic persecution to which Her Majesty's subjects here of late have been exposed at the hands of the War Department and of its officers," is acknowledged.

The several acts of the Congress of the Confederate States which provide for additional forces for the public defense are published in General Orders, No. 82, which issued from the Adjutant and Inspector General's Office in this Department. A copy of these orders is inclosed to you.*

The United States having called into their military service some 700,000 men, a number approximating to the number of the military population of the Confederacy, these acts of Congress became necessary. The act of April last continued in the Army all the persons then in the service who were residents of the Confederate States, between the ages of eighteen and thirty-five years, and enabled the President to place in the service all residents of the same class who were not

*See p. 160.

legally exempt. The Department did not retain in the Army, but discharged from it, all foreigners not domiciliated who had volunteered at the expiration of their term of enlistment, and in May last announced in orders that "foreigners who have not acquired a domicile in the Confederate States" were legally exempt from conscription. Several hundred foreigners were thus discharged from the Army under this construction of the act, and the same interpretation serves as a shelter to a very large number of aliens who previously were regarded as permanent residents of these States.

In July orders were published by the Department prohibiting the reception of unnaturalized foreigners as substitutes. In September orders were issued to the effect that all enrolling officers are hereby expressly prohibited from enrolling as conscripts foreigners not domiciled in the Confederate States. "By domicile is meant permanent residence." And again, in Orders No. 82 it is said "foreigners not domiciled in the Confederate States are not liable to enrollment. Domicile in the Confederate States consists in residence with intention permanently to remain in those States and to abandon domicile elsewhere. Long residence of itself does not constitute domicile. A person may acquire domicile in less than one year, and he may not acquire it in twenty years' residence. If there is a determination to return to the native country and to retain the domicile there, no length of residence can confer domicile."

There can be no mistake of the principle upon which this Department in administering the legislation of the Confederate Congress has proceeded. As Her Majesty the Queen of Great Britain and Ireland has no minister near this Government, nor any other accredited diplomatic agent here to call in question this principle, the Department feels under no obligation to discuss or defend it.

By a reference to the Orders, No. 82, Article X, you will find that "applications for exemption must in all cases be made to the enrolling officer, from whose decision an appeal may be taken to the commandant of conscripts. The Department will not consider the application until it has been referred by the latter officer." The exemption act comprehends large classes of citizens who are not included among those from whom military service is required. Their claims to exemption are brought under the revision of this Department by this regulation. The alien who has not acquired a domicile is subject to the same regulation and may seek his protection in this form. The commandant of conscripts is a field officer and has been selected for his ability, among other qualifications, to determine questions that might arise under this act. The alien is not deprived of any privilege that has been conceded to a citizen. Mr. Haley had it in his power to bring his case before the Department, and from his failure to do so the presumption is that he has acquired a domicile in these States. The Department has exposed in this with more particularity its principles and mode of proceeding than in its former communication to you, but it is not able to perceive that any material omission was then made. It has nothing to detract from that communication.

In reference to your remark upon the discourtesy to which you have been subject, the Department is entirely unable to make any application of it. It has listened to your remonstrances and expostulations with the same degree of patience as if you had been regularly accredited to this Government, and it has afforded you in respectful terms full information of whatever it was necessary for you to know to perform your duties, or what you might consider to be your duties.

Under the sense of what is becoming and proper it has replied to your letter without the slightest expression of complaint of the tone you have thought proper to assume.

Very respectfully, your obedient servant,

J. A. CAMPBELL,
Assistant Secretary of War.

ADJUTANT-GENERAL'S OFFICE,
December 15, 1862.

His Excellency JOHN LETCHER,
Governor of Virginia:

SIR: The operatives in the Tredegar Works at Richmond were organized, commissioned, and armed by you as a battalion for home service on the 3d day of June, 1861, and had an effective force of at least 300 men, rank and file.

Up to the period when the first of the battles around Richmond was fought, in June last, this battalion had been regularly mustered, drilled, and promptly turned out for service when required, but upon ordering a muster for inspection on this day I am informed by the commandant, Major Archer, that the men claim exemption from all military duty under some act of Congress or order of the War Department; that in consequence the drills have been discontinued, and that now scarcely the force of a single company could be mustered.

I am also informed by Major Archer that there are in the various foundries and workshops, including the Government works in the city of Richmond, probably 3,000 able-bodied young men, or men in the prime of life, who might be organized upon the same principles as the Tredegar Battalion, and would constitute a very effective force for the defense of the city. In every ward of the city there is a military hall or some building which might be conveniently used for night drills by companies. These night drills under competent officers would, I know, afford the needful military instruction, and with battalion or regimental musters, according to the force, on Saturday afternoons, would be all the necessary tax upon the time of the men, and not withdraw any of them from the customary working hours, since, as to that, Saturday, as I am informed, is universally regarded among them as a broken or half day.

It is my duty to report the condition of the Tredegar Battalion to you, but I have extended the report so as to include the whole material of the city capable of armed service for local purposes, confident as I am that the Confederate Government, at very little trouble or expense, may organize into companies, battalions, and regiments, for the protection or defense of the metropolis, an effective force of two or three regiments.

The subject is respectfully submitted for your consideration.

Very respectfully, your obedient servant,

WM. H. RICHARDSON,
Adjutant-General.

[First indorsement.]

DECEMBER 19, 1862.

This communication to me from Adjutant-General Richardson is respectfully referred to Honorable Secretary of War, as it contains some valuable suggestions that may be of service in arranging for city defense.

JOHN LETCHER.

[Second indorsement.]

Adjutant-General COOPER:

The object recommended is approved. How may it best be accomplished?

J. A. S.,
Secretary.

[Third indorsement.]

JANUARY 4, 1863.

Referred to the several chiefs of military bureaus for their views, to be returned to this office: Quartermaster-General, Commissary-General, Chief Engineer, Chief of Ordnance, Surgeon-General.

S. COOPER,
Adjutant and Inspector General.

[Fourth indorsement.]

DISTRICT HEADQUARTERS,
Richmond, Va., January 6, 1863.

It is impracticable to carry out the within suggestions as proposed. The men in the foundries, workshops, and bureaus have not the time to appropriate to drills and military exercises without neglecting their proper duties or imposing too much physical and mental taxation. The Chief of Ordnance has a reserve of arms kept for this special purpose, which, when the time comes, can be placed in the hands of the men.

Very respectfully,

ARNOLD ELZEY,
Major-General.

CIRCULAR.] ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, December 15, 1862.

In all applications for details or assignments from the chiefs of military bureaus the application will give the present assignment of the officer concerned and his location. It will then, upon being received at the office of the Adjutant and Inspector General, be referred to the general commanding the army or department in which the staff officer is serving, for his report on the case, before the detail or assignment can be announced in orders.

S. COOPER,
Adjutant and Inspector General.

SPECIAL ORDERS, No. 294. } ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, December 16, 1862.

* * * * * * *

II. Brig. Gen. Gabriel J. Rains is hereby assigned to duty as general superintendent of the conscription service for the Provisional Army of the Confederate States. He will forthwith proceed to Richmond and enter upon the duties of his office.

* * * * * * *

By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., December 16, 1862.

His Excellency JOHN GILL SHORTER,
Governor of Alabama:

Your letter of the 27th ultimo to Admiral Buchanan, inclosing the application of sixty-two of the men of the Jeff Davis Legion to you, to solicit your aid and influence in obtaining a transfer of their company to the gun-boats now being built for the protection of the cities of Mobile, Selma, and Montgomery, has been sent to this Department through the Navy Department. The Army of Northern Virginia is at this time in front of the most powerful army of our enemy. It cannot be re-enforced, while that of the enemy can draw support from the recruits that the United States are constantly making. The army of the enemy is superior to ours in equipment, numbers, and supplies. It is, therefore, obvious that applications for details or removals cannot be granted. There is much homesickness in the Army, and the Department is pressed by every influence and in every form to grant discharges or to allow removals. Mothers, sisters, wives, and daughters are pleading for the return of those who they last year cheered and stimulated to go to the battle-field. The Department hopes that the Chief Magistrates of the States will discourage the display of the uneasy and restless spirit that exists on this subject, and maintain to the highest elevation the patriotism of the country.

Very respectfully, your obedient servant,

J. A. CAMPBELL,
Assistant Secretary of War.

COLLECTOR'S OFFICE, DEPARTMENT OF MISSISSIPPI,
Tangipahoa, La., December 16, 1862.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

SIR: I have the honor to acknowledge the receipt of your telegram of the 11th instant, in the following words, viz:

> Your request for leave to obtain salt on same terms precisely as Governor of Mississippi is granted, but with the earnest injunction that only salt absolutely necessary for the people of Louisiana within your district be so obtained.

However questionable the policy inaugurated by the Governor of Mississippi may be, I found, in view of the extreme want of salt in this portion of Louisiana, and the repeated demand for the same privilege for this people as that granted to Mississippi, and the fact that the transit of both cotton and salt for Mississippi had to be made through the territory of Louisiana, that this grant might be necessary to secure the public tranquillity. In the absence of the Governor or any representative of the Chief Executive of this State I deemed it to be my duty for these considerations to make the request which you have deemed proper to grant. I beg to assure you that I fully appreciate the importance of the injunction contained in your dispatch, and shall only exercise the discretion placed in my hands to the best of my ability to promote the public interests.

I remain, very respectfully, your obedient servant,

F. H. HATCH,
Collector.

GENERAL ORDERS, No. 107. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 17, 1862.*

I. Paragraph IV, General Orders, No. 72, current series, is modified as follows:

Medical officers, referred to in said order, will not hereafter issue certificates for furloughs, except when the health of the soldier requires his removal, or a change of climate; and in all such cases this fact must be distinctly stated in the surgeon's certificate.

II. Whenever, in the opinion of the commanding officer of a military department, the object of the first [fourth] paragraph of General Orders, No. 72, has been for the time being accomplished, by sufficiently reducing the number in hospital, he may suspend the sessions of the medical boards until the condition of the sick and wounded renders it expedient to reassemble said boards.

III. Officers charged with the duty of enrolling conscripts are hereby instructed that the resignation of officers does not of itself exempt the party resigning from the provisions of the conscript law. All such persons are subject to enrollment and examination, in common with other parties of conscript age.

IV. Lieut. Col. Smith Stansbury is hereby detailed for the same duty as that assigned in paragraph III, General Orders, No. 80, current series, to Lieut. Col. W. Le Roy Brown, and he will proceed immediately to Charleston, S. C., and to Mobile, Ala., for the purpose of examining candidates for appointments as artillery officers for ordnance duty, under the act of Congress approved September 16, 1862.

The generals commanding at those points will, on his application, associate with him any two artillery officers performing ordnance duties he may select, who, together with himself, will constitute an examining board.

Due notice will be given through the local papers of the time at which examinations will be held.

Applications for permission to be examined will be made, as per General Orders, No. 80, to the general commanding.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, December 17, 1862.

His Excellency J. G. SHORTER,
Governor of Alabama, Montgomery, Ala.:

SIR: I have received your telegram, and regret to hear that the Legislature of Alabama has adjourned. The arrangements contemplated by the Department for the manufacture of salt in your State are deemed of the first importance, and the only thing now needed to complete them is the assurance of a sufficient quantity of land to carry on the necessary operations of the manufacture. Twenty acres of saline land are ample to afford a supply of salt water, but a larger quantity is needed for the purpose of evaporation, &c. Under the circumstances and in consideration of the emergency, could not Your Excellency permit the Confederate Government to use the adjacent property which I am informed belongs to the State to the extent of 100 acres?

With sentiments of high respect and esteem, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, December 17, 1862.

Hon. HERSCHEL V. JOHNSON,
Bartow, Jefferson County, Ga.:

SIR: Your letter of the 10th instant has been received. Your inquiry is whether you have a right to have an overseer between the ages of eighteen and forty-five, under the circumstances in which you are placed as a Senator obliged to be absent for a portion of the year. The key to the construction of the conscription and exemption acts is contained in the first sentences of the former. This sentence is similar in each, and I quote from the last act:

> That the President be and he is authorized to call out and place in the military service of the Confederate States for three years * * * all white men * * * residents * * * (between the ages of eighteen and thirty-five, act of April) * * * (between the ages of thirty-five and forty-five, act of October) at the time the call or calls may be made, and who are not at such time or times legally exempted from military service.

The exempts are determined by the exemption bills. Your plantation at the date of the calls had an owner resident upon it, and was not in the charge of an overseer exclusively. Your overseer, if you had one, was not then exempt as such. He was liable to conscription, and you could not by an ex post facto act relieve him. The President has not made a call for persons between forty and forty-five. You can employ such a person, and if he has the charge of your plantation at the time of a subsequent call and there is no adult upon it he would probably be exempt from that call.

For Secretary of War.

Very respectfully, your obedient servant,

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., December 18, 1862.

Hon. JAMES M. MASON,
Minister, &c., at the Court of Saint James:

SIR: This will be transmitted to you by Capt. William G. Crenshaw, of Richmond, Va., who has been for some time past serving with distinction as the captain of a battery raised by himself in our Confederate Army. He has been one of the most intelligent, extensive, and successful merchants of our city; having besides other important enterprises almost inaugurated and established the coffee trade between Virginia and Brazil; and such confidence has been felt in his commercial knowledge and enterprise that it has been thought advisable, first by the Navy Department, and now by this, that he should go to England to attend to important interests of the former Department, and to initiate and carry out, if, on fuller inquiry and ascertainment of the chances of success, he should deem it judicious, operations for running the blockade of our ports, and supplying this Department on a considerable scale with the munitions, army supplies, and drugs, so essential to maintain the efficiency of our forces. The scheme of these operations in its details will be explained to you best by Mr. Crenshaw in person.

Its general features are that steamers or vessels, as he may conclude best adapted for the purpose, should be built or purchased by him in

England. That he shall associate with him in the enterprise some leading English house of large means, in conjunction with whom he shall take one-fourth interest in the vessels and in their cargoes, and shall purchase and sell on commission the goods to be sent to this country, and the cotton to be sent forward in return. Thus a partnership or joint interest will exist between this Department on the one side and himself, in conjunction with the English firm on the other, and this partnership is to extend likewise to the commission on the one side for the purchase of goods in England, and on the other (this Department) for the purchase of cotton here. The commission for the sale of cotton will be to him and his English coadjutors alone, and shall not exceed 2½ per cent., with such guaranty in case of sales on credit as the usage of the trade allows. His fourth of the goods reaching this Confederacy, at the option of this Department, to be taken by it at moderate valuation according to the market rates here, and if not taken to be sold by his own selected agent. It is understood that this enterprise is to be undertaken on a calculation of general chances, and notwithstanding one or more losses at first is to be persevered in to a full trial. This is deemed essential to justify the private venture and is deemed judicious for the Government. It is likewise understood that it is so to be arranged, either by the English house taking its pecuniary advance solely in the value of the ship or by advances upon it, that the ships may be owned, cleared, and sailed as British property and be under the English flag. In the purchase or building of the ships to start, and until advances are repaid by the cotton imported, large sums will have to be advanced on behalf of this Department out of such means as the Government can command abroad, and I must rely on and invoke your authority and aid to facilitate to Mr. Crenshaw the command of adequate resources. In such a transaction as the Department thus engages in it reposes large confidence in Mr. Crenshaw's character, capacity, and judgment, and must likewise ask at your hands much similar trust in his integrity, discretion, and tact. In neither case, I feel assured, will it be abused, as he will be actuated in the whole business, I am confident, more by patriotism and a desire to serve our great cause than by a spirit of gain. I should add that on engaging in this enterprise he will feel bound, though with reluctance, to resign his commission as an officer in the Confederate service, since he would consider private interest in such a venture inconsistent with the relation of an officer, and besides he would have to remain long abroad.

I have omitted to state one other particular of the understanding with Mr. Crenshaw, which is that the goods running the blockade to the extent of the fourth interest held by him and his English associates shall be admitted free of duties, but on his share of the cotton taken out he will be liable to the specific duty of one-half per cent. prescribed by Congress as a pledge for one of the loans of the Government. This feature of exemption from duty on the goods running the blockade, it is thought, may prove of decided advantage in winning English coadjutors.

In conclusion I cannot refrain from expressing personally my cordial good wishes for your health and success in your responsible station and giving renewed assurance of the high consideration and esteem with which

I am, most truly, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

SPECIAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 297. } *Richmond, December 19, 1862.*

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XIII. Enrolling officers in the Department of East Tennessee will report through the commandant of conscripts to the general commanding the department, who is hereby authorized to give such instructions not inconsistent with acts of Congress and to render such aid as may be necessary for the enforcement of the conscript laws.

XIV. Enrolling officers in the department commanded by Maj. Gen. John H. Forney will report through the commandant of conscripts to the general commanding the department, who is hereby authorized to give such instructions not inconsistent with acts of Congress and to render such aid as may be necessary for the enforcement of the conscript laws.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

EXECUTIVE DEPARTMENT OF NORTH CAROLINA,
Raleigh, December 19, 1862.

His Excellency President DAVIS:

DEAR SIR: I beg leave to call your attention to the inclosed memorial from representatives of the people of the Tenth Congressional District of this State. I know all the facts set forth to be true, being intimately acquainted with the district, and have no hesitation in saying that if any section of the Confederacy is deserving of the exercise of the discretion vested in you by the exemption act in its favor it is that mountain region of North Carolina.

I am, sir, very respectfully, your obedient servant,

Z. B. VANCE.

[First indorsement.]

Respectfully referred to Secretary of War.

WM. M. BROWNE,
Colonel and Aide-de-Camp.

[Second indorsement.]

Respectfully referred to the President.

J. A. S.,
Secretary.

[Third indorsement.]

There is much force in the within appeal, and if the point of maximum in the old regiments is touched so as to present the case of a reserve, it seems proper and politic to grant relief by enrolling and leaving at home for the present the men of this district as a reserve, subject to future call. Inquire and confer.

J. D.

[Inclosure.]

RALEIGH, N. C., *December 11, 1862.*

His Excellency JEFFERSON DAVIS,
President of the Confederate States of America:

DEAR SIR: The undersigned, senators and representatives from the Tenth Congressional District of North Carolina, now attending the General Assembly, desire to call your attention to the following statement of facts:

The people living in the counties composing the Tenth Congressional District own comparatively but few slaves, and have, therefore, to rely mainly upon white labor for the cultivation of their lands and their supplies of provisions. In nearly all the counties we represent the number of volunteers and conscripts furnished to the Confederate Army is almost equal to our entire voting population. This district is composed of fifteen counties. These counties do not [contain] as many slaves, all told, as some single counties in the middle and eastern divisions of the State. It is manifest, then, that the levies made by the conscript law upon our section have well-nigh stripped us of our laboring population. We further state that with aid of the conscripts during the last summer we have been unable to produce sufficient supplies for the present winter and coming spring. We hope, however, by the strictest economy and the abandonment of a portion of our live stock to prevent actual starvation. It must be borne in mind, nevertheless, that great privation and suffering are inevitable. We could cite hundreds of instances where three or four families of women, numbering from ten to fifteen children, have been thrown together into one house, not having so much as a boy large enough to go to mill. These noble women are now aided by the few scattering men who remain at home. But if the remaining conscripts, from thirty-five to forty or forty-five, are enrolled and ordered into camp, it can result in nothing short of actual starvation among some of these helpless women and children. Moreover, it will be impossible for the few old men and boys remaining at home to cultivate one-half the amount of land that was cultivated last summer in that section, and hence the danger of a general famine through that entire district. This section of the State which we represent is very mountainous and remote from railroad facilities, and cannot, therefore, procure provisions from abroad.

We are free, though the task is an unpleasant one, to state another fact. Most of the cases of desertion among the soldiers from that section have been produced by the sufferings of their families and parents at home. We challenge the Confederacy to produce a more loyal and brave people than ours, and instance as an example the glorious Sixteenth North Carolina Regiment. Yet with all their loyalty, if the law be enforced and the remaining conscripts be taken, it will produce the deepest discontent and dissatisfaction among the soldiers already in the field from that section. We had reason to expect that you would have exempted that section from any further call.

In view of the foregoing facts we respectfully ask that you will suspend the enforcement of the conscript law in the Tenth Congressional District of North Carolina. We now appeal with confidence to you in behalf of these helpless women and children, believing that you cannot consent to see any one section of our beloved Confederacy reduced to actual starvation while some of our sister States are behind us in furnishing men for the field. So far we have done our duty and

leave results to you; and for our official position we refer you to Governor Vance and to our Representative in Congress, A. T. Davidson, and hope that the facts set forth may receive at your hands due consideration.

We are, sir, yours, respectfully,

C. D. SMITH, *Senator;*
W. M. SHIPP, *Senator;*
M. O. DICKERSON, *Senator;*
S. J. NEAL, *Senator,*
[AND TWELVE REPRESENTATIVES.]

GENERAL ORDERS, No. 109. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 20, 1862.*

I. The following appointments under the act of October 9, 1862, providing for the appointment of military courts to attend the Army, have been made by the President, and are announced for the information of all concerned:

1. *Lieut. Gen. James Longstreet's corps.*—Charles L. Scott, Alabama, presiding judge; Albert P. Hill, Mississippi; L. W. Spratt, South Carolina; Charles M. Blackford, Virginia, judge-advocate.

2. *Lieut. Gen. T. J. Jackson's corps.*—Richard H. Lee, Virginia, presiding judge; James Jackson, Georgia; David M. Carter, North Carolina; Daniel A. Wilson, Louisiana, judge-advocate.

3. *General G. T. Beauregard's corps.*—D. F. Jamison, South Carolina, presiding judge; L. M. Lamar, Georgia; Capt. W. C. Bird (First Florida Volunteers), Florida; A. H. Boykin, South Carolina, judge-advocate.

4. *Lieut. Gen. Leonidas Polk's corps.*—Andrew Ewing, Tennessee, presiding judge; Edward S. Worthington, Kentucky; J. A. P. Campbell, Mississippi; Thomas W. Brown, Tennessee, judge-advocate.

5. *Lieut. Gen. E. K. Smith's corps.*—Thomas Ruffin, North Carolina, presiding judge; James Neil, Tennessee; Charles B. Thomas, Kentucky; Shelby Williams, Tennessee, judge-advocate.

6. *Lieut. Gen. T. H. Holmes' corps.*—Trusten Polk, Missouri, presiding judge; George C. Watkins, Arkansas; Maj. W. P. Townsend (Fourth Texas Volunteers), Texas; Lionel L. Levy, Louisiana, judge-advocate.

7. *Maj. Gen. John H. Forney's corps.*—Thomas J. Judge, Alabama, presiding judge; S. W. Fisk, Louisiana; Samuel J. Douglass, Florida; J. Little Smith, judge-advocate.

8. *Maj. Gen. Samuel Jones' corps.*—Col. P. T. Moore, Virginia, presiding judge; W. H. Norris, Maryland; Col. A. T. M. Rust, Virginia; Septimus T. Wall, Kentucky, judge-advocate.

9. *Maj. Gen. G. W. Smith's corps.*—William B. Rodman, North Carolina, presiding judge; John M. Patton, Virginia; Bradley T. Johnson, Maryland; W. P. Johnston, Georgia, judge-advocate.

II. The above-named members of the courts referred to will report without delay to the commanding officers of the respective army corps to which they have been assigned, to whom the letters of appointment will be forwarded, except in those cases where they have been delivered to the parties, or may be called for at this office at an early day.

By order:

S. COOPER,
Adjutant and Inspector General.

SPECIAL ORDERS, No. 298. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 20, 1862.*

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XIII. Authority is hereby granted A. A. Stewart to raise a company of men over the conscript age (forty-five years) for service in the State of Florida, and not to be attached to any regiment or battalion.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

EXECUTIVE OFFICE,
Jackson, Miss., December 20, 1862.

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES:

For the consideration of matters of vital interest to the safety of the State you have been called into extra session. The magnitude of the preparations and the vast armies sent by our enemies for our subjugation require corresponding efforts on our part to render our defense successful. To effect this end I recommend that the entire white male population of the State from sixteen to sixty years of age be enrolled in the militia, and that such as are deemed able to go into active service be called at once to the defense of the State. This class who are able for active service in the field will probably constitute one-half of the entire population subject to military duty. The other half could be organized as a reserve to be armed and drilled for local defense against raids of small foraging parties of the enemy. One-fourth of this reserved class could act as armed patrols in their respective counties, and thus give a feeling of security to the people in every county in the State. As it is a matter of necessity to the safety of the State and the successful prosecution of the war to fill up our regiments now in the field and to return to the Army the hundreds who are absent without leave, or on expired furloughs, or have recovered from disability and are now able to return to duty, I suggest the importance of requiring the sheriffs, magistrates, and constables to aid the military authorities of the State and of the Confederate States to enroll, and if necessary to arrest, conscripts and send them to the proper camps, and to arrest and send to their commands all who owe service to the country and either neglect or refuse to perform it. The prompt and faithful performance of this duty should be enforced by heavy penalties, extending to even the dismissal from office for willfully failing or refusing to give the required aid in arresting and sending back to duty those who seek to avoid it. I recommend that the Legislature pass an act disfranchising every citizen who shall be convicted of evading or refusing to perform the military duties required of him by law, either by leaving the State, or hiding out from home, or otherwise. Such are not fit to associate on terms of equality with the loyal and brave who return with honorable scars from the battle for independence. Slave labor has been employed by State and Confederate authorities on works deemed necessary for the public safety. The liberal and patriotic have cheerfully responded to the calls for slaves for this purpose, while some have refused to contribute anything, or even to send their slaves on assurance of full and ample compensation. I ask that

authority be given the Executive—under such restrictions as may be deemed wise—to call out for the State or Confederate authorities such number of slaves as may be necessary for such works in the future; and that the burden may be equally borne by all I suggest that the slaves be enrolled.

While asking for more stringent legislation to compel the citizen to do his duty to the State and country, I will respectfully remind the Legislature that one class of our citizens has claims upon the State as imperative and as sacred as any claim the State can have upon the soldier in this perilous hour. I allude to the families and dependents of our soldiers now or soon to be in the field. Deprived of the means of support by calling the husband and father to the Army, they may justly claim protection and supply of the necessaries of life from the State which now requires the services of their natural protectors. The provision heretofore made by the Legislature is found to be wholly inadequate. Owing to our drouth of the past season, which extended over a large portion of the State, and the necessity of calling more men into the field, the number of destitute families will be greatly increased and thereby add largely to the wants of our people, who are even now in some districts suffering for bread. Such a condition of affairs ought not to be allowed to exist while there is means within the State to prevent it. I therefore recommend that the most liberal provisions be made by the Legislature in behalf of the families of our soldiers now in the field, and the widows and orphans of such as have fallen in defense of their country; and I further recommend in this connection that discretionary power be given to the boards of police in each county to extend any legislative provision that may be made by county taxes if such legislative provision should again be found inadequate to supply the necessaries of life to the sufferers of their respective counties. The most pressing want of our people at the present time is a supply of salt. During the last summer I sent agents to Virginia, Alabama, and Louisiana in order to secure, if possible, a supply of salt for the people of the State, either by purchase or by mining. Their missions have, however, from various causes proven entirely unsuccessful, except the agent to Louisiana, who succeeded in purchasing a small quantity of salt in New Iberia, in Louisiana. About 40,000 pounds of salt are now at Vicksburg, which I propose to distribute to the destitute families of soldiers. Some other contracts have been recently made for a large supply of salt, and if I should be successful in these I hope to be able to supply the State. These contracts I will be pleased to submit to any committee that the Legislature may appoint for that purpose. If these efforts should prove a failure, I know of no other source of supply but by mining on State account at New Iberia, La., where the deposit, so far as is known, is unlimited. In that event I ask that authority be given to use the slave labor of the State and the wagons and teams necessary for the mining and hauling the salt to Atchafalaya, the nearest point to steam-boat navigation. While my efforts have procured but a very small amount of salt on State account, I have given all the information and assistance in my power to private enterprise, and it affords me much satisfaction to say that in consequence of such information and assistance many individuals have succeeded in supplying themselves and neighbors with salt. I have been unable to obtain transportation sufficient to convey the salt obtained to the interior of the State. I therefore request that the Legislature will take some action in the premises so as to secure speedy transportation

for the salt that may be obtained in the future; and as the item of bread is of vital importance to a large portion of the State, it would be well for the Legislature to include transportation for corn and wheat in any provision made for the transportation of salt. The exorbitant prices asked for every article of food, by those who are engaged in buying and selling for profit and many who produce them, is putting the means of living beyond the reach of many of our poor citizens; if permitted to go unchecked, will transfer the property of the country to the hands of the worst and least patriotic of our population. I ask that a law be passed prohibiting the buying and selling of grain for profit and its distillation into spirits, and that some reasonable price be fixed beyond which the extortioner cannot go without incurring a heavy penalty.

The military bill passed at the last session of the Legislature made no provision for the appointment of the staff of the major-general of the State militia. I recommend that authority be given to the major-general to appoint his staff, as the duties of his office cannot be performed without such aid.

Treasury notes to the full amount authorized by the Legislature at its last session have been advanced on cotton. This act for the relief of the people and for supplying a sound circulating medium for the State has accomplished all that its most sanguine friends expected, and of the $2,500,000 appropriated by the Legislature for military purposes but $381,534 have been expended, leaving in the treasury a balance of $2,118,466. No further appropriation in this behalf is required.

For the information of the Legislature as to the condition of the State troops, I respectfully refer you to the report of Maj. Gen. T. C. Tupper, herewith transmitted.* The minute men now in the field have done good service, and they cannot be too highly commended. Their presence and efficiency have done much to restrain the inroads of the invading foe.

The State armory at Brandon is doing all that could be expected, with the limited means in our possession, in the construction and repairing of arms. For full information upon this subject I refer you to the report of the chief of ordnance, herewith transmitted.*

You will see by the report of the adjutant-general of the State that we now have forty-six regiments of infantry in the Confederate service, besides the cavalry and artillery and the unattached battalions and companies of the several arms which were organized by and reported to the Confederate authorities at Richmond, leaving no record of their existence or strength in the office of the adjutant-general in this State. Since your last session Mississippi has become the theater of war. After the fall of New Orleans and Memphis three sides of the State were exposed to the Northern plunderer. Until recently our people have suffered, compared with the four States adjoining, but little loss of property, for the enemy have been required to pay in blood for the plunder they gathered on our soil. Their efforts were mainly directed to clearing the Mississippi River of the only remaining obstruction to its free navigation. Some fortifications hastily constructed at Vicksburg were at the beginning of the contest scarcely deemed worthy of their notice, but after months past spent in bombarding, and at times the most furious that has ever occurred upon this continent, the united efforts of both the upper

*Not found.

and lower fleets could not secure the safe passage of one boat. Battered and bootless they retired in acknowledged defeat. The spell which attended the name of gun-boats was broken at Vicksburg. While this brilliant success to our arms, occurring on her soil, adds renown to the State, Mississippi can only claim a share of the glory of the achievement. Louisiana, Alabama, Kentucky, Tennessee, and Missouri had gallant representatives there to share the danger of the conflict and the honors of the triumph. Nor should I forget the brilliant part played in this defense by the Confederate steamer Arkansas and her heroic officers and crew. Though baffled last summer, the enemy have worked with all the energy which wounded pride and bitter hate could give them, and are now returning to the siege with larger fleets and much larger land forces. We have not been idle spectators of their preparations, and the history of Southern triumph at the Hill City I hope is not yet finished. Thanks to the energy of our mechanics and the skill of our engineers, the foremost of their gun-boat fleet lies a shattered wreck at the bottom of the Yazoo River. The torpedo has at last done its work. I hail this success as a happy omen of our triumph over our enemies in the approaching struggle—that triumph must be sought by patient endurance and hard fighting. From all the accounts of the devastations committed wherever their troops have marched over our soil it is manifest that we have nothing to lose by fighting. Mississippi is now called on to put forth all her strength to repel the invasion of her enemies, who have discarded both the principles and practice of civilized warfare. The struggle is now for her existence as a State. Her sons have won for her an enviable renown by gallantry unsurpassed on many fields and attracted to her the bitterest hatred of the common enemy of the Confederacy.

I appeal to the Legislature for such legislation as in their wisdom they may deem necessary to enable the State to maintain the proud position among her sister States won for her by the blood of her heroic sons. Let us convince the world by our actions that all the patriotism and courage did not go out of the State with the regiments that have heretofore gone to meet the enemy on more distant fields. If Mississippi is true to her former history, I have an abiding confidence that after a few months more of suffering and trials the God who loves justice and rewards devotion will bless our land with independence and peace.

JOHN J. PETTUS.

GENERAL ORDERS, No. 110. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 22, 1862.*

I. The attention of the Army is called to General Orders, No. 52, from this office, requiring commanding officers to report the facts and circumstances of "extraordinary valor and skill" displayed by officers and soldiers which may entitle them to recommendation to the President for promotion to vacancies in their companies, as provided by the act of April 21, 1862; and due observance of said order is enjoined on all concerned.

II. The Fifty-second Article of War directs that "any officer or soldier who shall misbehave himself before the enemy, run away, or shamefully abandon any fort, post, or guard which he or they may be commanded to defend, or speak words inducing others to do the like,

or shall cast away his arms and ammunition, or who shall quit his post or colors to plunder and pillage—every such offender, being duly convicted thereof, shall suffer death or such other punishment as shall be ordered by the sentence of a general court-martial."

The enforcement of the foregoing article is enjoined on all officers and non-commissioned officers of the Army; and, in order the better to carry its provisions into effect, it is hereby made the duty of all company commanders to see that the company roll is regularly called before and after each battle, and to arrest and, whenever proper, report for trial by court-martial all absentees who are without the requisite excuse.

The number of the Confederate Army who bring disgrace upon it by a violation of the article above quoted is happily small, and it is therefore the more incumbent that their disreputable conduct should be exposed and punished, and the fair name of the large number who respect its honor and character be thus publicly vindicated.

By order:

S. COOPER,
Adjutant and Inspector General.

SPECIAL ORDERS, No. 299.

ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, December 22, 1862.

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X. Authority is hereby granted Capt. Frank E. Burke, Seventh Confederate Regiment Cavalry, to raise a battalion of cavalry in the States of Georgia and Alabama of men not subject to conscription under the call of the President and the existing law.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

An appeal to the people of Alabama.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., December 22, 1862.

In view of the anticipated effect of the conscript law upon the militia system of the State, on the 12th day of May last I invited the able-bodied men of Alabama, not subject to conscription, to form volunteer companies. That invitation did not receive the attention it merited. The Legislature has adopted no law for the improvement of the militia organization of the State. The impaired condition of that system leaves no means of making the remaining military strength of the State available for its protection and defense, except by the formation of volunteer companies. The State is now threatened from several directions. Our unscrupulous foe has collected all his resources for one stupendous effort to subjugate and enslave us. He can never repeat the effort. He makes it the crisis of his cause. If foiled in this last desperate struggle, exhausted and dispirited he must yield the contest. Our brave people may congratulate themselves upon the opportunity to hasten the achievement of peace and independence by

an exhibition of the fortitude and courage necessary to defeat the enemy in this last great and convulsive effort. The ultimate triumph of our glorious cause is now clearer than it has ever been. There is no reason for despondency. Our people will not shrink in this their final trial. The splendid victory at Fredericksburg will be followed by still more decisive results upon other fields. By repeated shocks the enemy's vastly accumulated power will be broken. At no distant day we shall enjoy, in the blessings of peace and good government, a reward for all our suffering. Alabama must be true to herself and do her duty in the emergency. She must be ready to meet and quell the domestic and social disturbances which may spring up as the tide of war approaches; to resist hostile raids; to protect her people and their property in any assailed quarter; to give death to every wanderer from the lines of our invading army, and if need be to increase the strength of the Confederate forces fighting upon our soil in its defense. For the accomplishment of these objects she looks and can only look to the voluntary movement of a patriotic people—too brave to suffer their cities and towns to be sacked, their homes to be desecrated, and their country to be desolated, without striking a manly blow in their defense. I therefore call again upon the men and youths of the State, exempted from the service of the Confederate States by reason of their age or other cause, who are capable of bearing arms, to speedily organize themselves into companies to constitute a reserve force, subject to service in this State upon the call of the Executive. They will be called into service only when necessity requires it. Their services may never be needed, but it is the part of wisdom and manly courage to be ready. It is the part of folly and cowardice to wait until the enemy's foot is upon our soil and his muskets gleam in the hands of brutal soldiers at our doors. Shall I call in vain upon Alabamians to prepare to stand and fight upon their own soil in its defense? Alabama has given freely of her sons to our country's cause, but her warlike strength is not yet exhausted. I send to her people my warning, and I leave it for them to decide whether, in the hour of trial which may be before us, they will be ready with as much of the remaining military strength of the State as may be required.

People of Alabama! I must appeal to you for your aid to the Government in another matter. It is due to the great cause in which we are engaged; it is just to those now bravely enduring the trials and perils of actual war that all within the ages prescribed by the act of Congress, known as the conscript law, should be in the service. A considerable number of persons in every part of the State, both officers and privates, who belong to the Army and are fit for duty, are lingering at home upon various pretexts, while their more manly and patriotic comrades, with ranks thinned and weakened by their absence, bear the shock of an unequal contest. So, too, a large number of persons subject to conscription are shrinking from the toils and perils which those of like age are bravely enduring, and hiding from the enrolling officer, to whom patriotism requires that they should promptly report themselves. Now, when the last great struggle of the war is upon us; now, when there is an opportunity to share in the closing triumphs of this great contest; now, when our soldiers in the field, standing with fearless resolution amid sufferings and dangers which would appall men less noble and brave, call upon those of like age with themselves for aid and relief; now, when every strong right arm is needed to strike the quick and effective blows

which are to give us peace, it is a shame and an iniquity that those two classes of persons should successfully evade the service they owe to their country. Every community owes it to its own reputation and to the country to give no shelter to those who belong to the two classes above described, and to drive them by the withering punishment of public scorn to their proper places. I call upon all the officers, civil and military, of the State, and upon all good and patriotic citizens, to give all their influence, personal or official, to constrain those persons into the path of duty and patriotism; and I especially invoke them to give their aid to the proper officers in arresting and coercing those who yield to no gentler means. It may be a disagreeable task, but the evil is great and ruinous to our country's cause, and it is the part of the patriot now to shrink from no task, however disagreeable or dangerous it may be, when the country calls. It is the pride of Alabama that her soldiers never falter upon the battle-field. Let us hope that none will be permitted to hide under cover of home from their appropriate duty. I subjoin directions to guide in the formation of companies under this proclamation:

1. Each company must consist of not less than forty privates, four corporals, four sergeants, two lieutenants, and a captain. When the number of privates in a company exceeds sixty it shall be entitled to another lieutenant. The captain and lieutenants will be elected by the company, and the non-commissioned officers will be appointed by the captain.

2. As soon as the requisite number of men have been enrolled, and the company officers have been appointed, the captain will make out the muster-roll, showing the name, age, and rank of every member of the company, accompanied by the certificate of the commanding officer to the correctness of the roll. These muster-rolls will be at once forwarded to General H. P. Watson, adjutant-general of Alabama Militia, when the company will be at once accepted into the service of the State.

3. The companies thus formed will be subject to the order of the Governor, but will not be called into actual service except in cases of urgent necessity, and then they will be employed only for purposes of local and State defense.

4. Each company will provide its own arms as far as possible, and the deficiency will be supplied by the State when the company is called into actual service. Captains of companies will be authorized to purchase all the powder and lead which can be procured in their respective neighborhoods, and upon properly certified vouchers the State will pay for the same, which will be retained for company use, to be accounted for by company commanders. It is earnestly hoped that every man in the State who has in his possession either arms or munitions, which he is not able to use in the public service, will place them at the disposal of his neighbors who attach themselves to this organization.

5. It is not intended that this organization shall interfere with the business pursuits of the people, as the companies will only be called into service in cases of actual necessity; but for the purpose of acquiring some proficiency in drill, I request that in all our cities and large towns the business hours may be closed at 8 p. m., that the balance of the day may be devoted to drilling, and that companies organized in the country will drill as often as practicable, not to interfere too seriously with their industrial pursuits. Even should this arrangement occasion some inconvenience, the public safety requires it and no good citizen will hesitate to adopt it.

6. All companies reported under this proclamation will be enrolled as part of the State guard. When called into service they will be paid and subsisted by the State as other troops. Should it be thought necessary, the companies will be united into battalions and regiments, and in that event the field officers will be appointed by the Governor.

7. All companies desiring to do so may, by complying with its provisions, be regarded as an organization under the act of Congress of 13th October, 1862, a copy of which is appended to this proclamation.* Companies desiring to be so organized should report to me.

In testimony whereof I, John Gill Shorter, Governor of the State of Alabama, have hereunto set my hand and caused the great seal of the State to be affixed this the 22d day of December, A. D. 1862, and of the Confederate States the second year.

[SEAL.] JOHN GILL SHORTER,
Governor of Alabama.

By the Governor:

P. H. BRITTAN,
Secretary of State.

EXECUTIVE DEPARTMENT,
Tallahassee, Fla., December 22, 1862.

His Excellency JEFFERSON DAVIS,
President Confederate States of America, Richmond, Va.:

SIR: By direction of His Excellency Governor Milton I have the honor to inclose to you a copy of a preamble and resolution adopted by the General Assembly of the State of Florida at its late session requesting Your Excellency "to allow persons in this State liable to conscription until the 15th March, 1863, to volunteer in the Confederate service for the defense of the State," and most respectfully to ask your favorable consideration of the same.

Very respectfully,

SAMUEL BENEZET,
Private Secretary to the Governor.

[Inclosure.]

RESOLUTION requesting the President to allow persons in this State liable to conscription until 15th March, 1863, to volunteer in the Confederate service for the defense of the State.

Whereas, the citizens of the State of Florida capable of bearing arms have enlisted in the service of the Confederate States to so great an extent as to leave but few at home for the protection of the women and children of the State and the control of the slaves;

And whereas, the number of slaves and the quantity of provisions, cotton, and tobacco in the State left thereby comparatively unprotected by reason of the small number of troops serving in Florida, the proximity of the coast to the rich planting regions, and the accessibility of the country by means of the rivers Saint John's and Apalachicola render the State an inviting field for invasion by the enemy;

And whereas, a successful invasion by the enemy would be attended by most disastrous results to the country at large in the loss of a

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* See p. 206.

large number of slaves and a vast quantity of provisions, and in the evil of having our entire population thrown for support on the already burthened resources of other parts of the Confederacy, and in addition thereto the State would become a rendezvous for fugitive slaves from Alabama and Georgia: Therefore—

Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened, That the President of the Confederate States be, and he is hereby, requested to exempt all citizens of the State of Florida from conscription who shall by volunteer enlistment enter the C. S. service by the 15th day of March, 1863, to be mustered into said service expressly for the defense of the State.

Passed the House of Representatives December 11, 1862. Passed the Senate December 12, 1862. Approved by the Governor December 13, 1862.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, December 22, 1862.

MR. BERNARD AVEGNO,
Commercial Agent of the Confederate States at Vera Cruz:

SIR: It is hoped by this Department that your position as commercial agent at Vera Cruz will afford you the opportunity to render valuable assistance in obtaining for it munitions and army supplies. Besides the general advantages offered by that city as affording in a contiguous country a neutral port of convenient access, peculiar facilities will probably at this time be afforded of introducing or procuring there such essential supplies for our armies, from the occupation of the city and a large portion of Mexico by the forces of the Emperor of the French, and the consequent necessity of the importation there under the French flag of large quantities of the articles wanted by us. I need not suggest to you the various means by which under such circumstances the supplies we need may be introduced with but little liability to the risk of seizure as contraband of war, or may be procured there from French citizens who may have brought them with a legitimate view to the supply in the first instance of the requirements of their own Government and its army. Your own experience and intelligence will best suggest or devise the most judicious and feasible modes of procedure. On the presumption that such opportunity will not be lost by you, I have caused to be made out, and you will herewith receive, lists from the heads of bureaus of this Department of the munitions, stores, and army supplies which are most desirable to be obtained. Should you succeed you will contract with the parties with whom you deal, or otherwise arrange, that the articles obtained or contracted for shall be delivered to agents or officers of this Department at Matamoras, or some other town of Mexico equally convenient to our border, to be there on receipt paid for either in sterling exchange, coin, or cotton at its value in coin at the place of delivery. Arrangements will be made by this Department with the Treasury Department to have such payments promptly made. I should likewise add that to secure the proper quality of the articles required they should be subject to inspection and approval by some competent officer or agent of this Department either at Vera Cruz or at the point of delivery. On notice by you of such prospect of success as would justify the presence of such inspecting officer or agent, he will be

appointed or sent either to that city or to the point of delivery, as you may advise. Report from you, as early and whenever the opportunity offers, of your prospects and proceedings will be acceptable to the Department.

Very respectfully, yours,

JAMES A. SEDDON,
Secretary of War.

[DECEMBER 23, 1862.—For proclamation of Jefferson Davis, denouncing Benjamin F. Butler as a felon and outlaw, see Series II, Vol. V, p. 795.]

MONTGOMERY, *December 23, 1862.*

Hon. JAMES A. SEDDON,
Secretary of War:

Randolph County defies enforcement of conscript act; an armed force made jailer surrender keys and liberated deserters. Infection will spread unless promptly arrested. Advise sending battalion of Colonel Hannon's cavalry regiment, now at this place, to Randolph County. Major Hannon, commanding conscript camp, and the State can supply arms, &c. Major Swanson needs another company of same regiment, the greater portion of the company he has being out after deserters from his camp. I say again, speedy action is necessary or deserters from every quarter will increase. Unreliable conscripts from this State should be sent to Virginia at once.

JOHN GILL SHORTER,
Governor of Alabama.

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, December 24, 1862.

Hon. JOHN GILL SHORTER,
Governor of Alabama, Montgomery, Ala.:

Please communicate following order to Colonel Hannon, viz:

Proceed immediately with your battalion of cavalry to Randolph County, Ala., and there take efficient measures to enforce the conscript act. Suppress infection and arrest deserters. If possible send a company of your regiment to Major Swanson. The State will furnish you with arms, &c.

Please also communicate the following to Capt. R. H. Powell, viz:

You are assigned to the command of Camp Watts, Ala. Report orders to Major Swanson.

S. COOPER,
Adjutant and Inspector General.

EXECUTIVE DEPARTMENT,
Tallahassee, Fla., December 24, 1862.

His Excellency JEFFERSON DAVIS,
President of the Confederate States of America, Richmond, Va.:

SIR: By direction of the Governor I have the honor to transmit to Your Excellency copies of resolutions passed by the General Assembly of the State of Florida at its late session, viz: Resolution to guaran-

tee by the States the debt of the Confederate Government;* resolution in relation to the present war.†

Very respectfully,

SAMUEL BENEZET,
Private Secretary to His Excellency Governor John Milton.

EXECUTIVE OFFICE,
Jackson, Miss., December 24, 1862.

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES:

The sick and wounded soldiers from the State of Mississippi demand at the hands of the Legislature that attention which will insure their comfort and proper treatment. The hospital system of the C. S. Army is necessarily imperfect, and it has failed to give that speedy relief to our suffering soldiery which their cases often imperatively demand. A more perfect system of hospitals, perhaps, under existing circumstances cannot now be established without the assistance of the States themselves. I have good reason to believe that separate State hospitals, whenever they have been permitted to be established by the Confederate authorities, have done much good. And it is believed also that the appointment by State authority of skillful and efficient surgeons to visit the hospitals in the different departments and see to the condition of our sick and wounded soldiers would result in much good. I therefore recommend that the Legislature make provision by law for the appointment of at least two competent surgeons—one for the Department of Virginia and the other for the West—whose duty it shall be to attend to the wants of our sick and wounded in their respective departments.

JOHN J. PETTUS.

[DECEMBER 24, 1862.—For Governor of Texas to Magruder, in relation "to calling out at once all the militia the State can possibly arm," see Series I, Vol. LIII, p. 840.]

C. S. WAR DEPARTMENT, ENGINEER BUREAU,
Richmond, Va., December 26, 1862.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have the honor to present the following report and recommendations relative to the engineer service of the C. S. Army:

During the past campaign the greater part of the officers composing the Corps of Engineers have been actively employed in the direct line of their profession, but the emergencies of the service have called to other duties a number of the officers belonging to the regular corps who have had the most experience as military engineers. Of the thirteen officers composing this corps, and formerly in the U. S. Army, seven have been thus detached, and four of the remaining six had a very limited experience in the former service. The great and responsible labor of the military engineer in our Army has been in consequence committed to the officers of the provisional corps, who have been necessarily appointed from the civil engineers of the country. Many of these, though of clever attainments in their profession, had

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*See December 15, p. 237. †See December 11, p. 233.

had no experience in military constructions up to the date of appointment, and had therefore much to learn at the same time they were called on to reduce it to practice. With but few exceptions these officers have been constantly and actively employed in their profession, some as reconnoitering and topographical officers with the mobolized armies of the Confederacy, also in the construction of roads and bridges needed for the advance of our forces, or in their destruction to retard the enemy; others in the location and erection of works of defense for the protection of points vital to the public safety and in the construction of barriers in river and harbor channels.

The many points to be defended have caused a wide distribution of the officers on engineer duty, viz: To the Trans-Mississippi, the Mississippi Valley, the Gulf Coast, rivers flowing into the Gulf, the Department of South Carolina and Georgia, Eastern North Carolina, Petersburg, Richmond, Northern Virginia, Western Virginia, and Tennessee. To perform the engineer service throughout this extensive field there are available six officers of the Corps of Engineers, Army of the Confederate States, and ninety-three officers of the provisional corps; but a part of the latter are called from time to time to other duties, as the construction of the Piedmont Railroad, the link of railroad from Rome, Ga., to the Blue Mountains in Alabama, the New Orleans and Texas and Texas and New Orleans Railroads, and to assist in the service of the Niter Bureau. The officers, being zealous and untiring, have accomplished much, but over the wide field of operations for our armies much has been, for the want of more engineers, unavoidably left undone. As yet our armies are without regularly organized engineer troops. Two or three companies of men only have been formed by selecting mechanics from some of the regiments in the service and assigning them to do the duties of engineer troops, but we have not even one company of pontoniers nor a pontoon train. These deficiencies ought to be supplied as soon as possible, and I beg to urge upon your favorable consideration the importance of adding to the armies in the field the following organization of engineer troops. With the present strength of the Confederate Army there should be at least 4,000 engineer troops to perform the following duties, viz: Under engineer officers assist in making reconnaissances and surveys of the country occupied; lay out, construct, and repair roads, prepare and place pontoon and trestle bridges; mark out and aid in the construction of all military works, defensive or offensive, viz, field forts, military trenches, parallels, saps, mines, and other works of attack, batteries, lines of infantry cover, rifle-pits, and works for obstructing rivers and harbors. The men should be selected for their skill in some mechanical branch of labor, as carpenters, masons, blacksmiths, wheelwrights, boat-builders, caulkers, saddlers, shoemakers, &c., and having the requisite skill they should receive higher pay than that allowed by law to the soldiers of the line. In the organization of a company there should be the following grades: Sergeant or master workman, corporal or overseer, private of the first class or artificer, and private of the second class or laborer. Each company to be commanded by a captain of engineers and three lieutenants—one first and two second—to be detailed from the line of the Army to serve with the company. The strength of a company to be as follows: Seven sergeants, 7 corporals, 2 musicians, 40 artificers, and 45 laborers, making a total of 101 rank and file. These companies to be organized into regiments of ten companies each. The regimental officers to be one colonel, one lieutenant-colonel, one major, one adjutant, with the rank of captain; one quartermaster and commissary, with

the rank of captain; one sergeant-major, and one quartermaster-sergeant.

As the conscription has taken into the Army the citizens of the country between the ages of eighteen and forty, it will be necessary in forming the engineer companies to select the men from the troops now in service. Unless this be authorized it will require so long a time to organize the number of companies needed that much injury will result to the service. The term of service in the engineer companies for the men selected from the line should be equal to the remainder of the period for which they are already bound. An intelligent class of officers to serve with the engineer troops can be selected, I doubt not, from the lieutenants, sergeants, corporals, and privates now in the line of the Army, and I think one of the greatest merits of the plan proposed is that promotion is thrown open at once to the meritorious men in the ranks or lower grades of our Army. The selections for service in the engineers should be made from the particular army or army corps with which they are intended to serve. This will guarantee a fair distribution of the promotions throughout the service and greater certainty of advancement for merit alone. I propose that two of the ten companies composing each regiment be assigned to serve as pontoniers, each to be provided with a pontoon train complete, making eight trains for the engineer organization; that the colonel of engineers in charge of the Engineer Bureau, subject to the approval of the Secretary of War, shall prescribe the number, quantity, forms, dimensions, &c., of the necessary wagons, pontoons, tools, implements, and other necessaries for each train. To supply the requisite number of officers of engineers to serve with the engineer troops, I propose that there be added to the Corps of Engineers, Provisional Army, four colonels, four lieutenant-colonels, four majors, and forty captains, with the same pay and allowances as now fixed by law. I propose the following as the monthly pay of engineer troops: That of sergeant-major, quartermaster-sergeant, and sergeant or master workman, $40; that of corporal or overseer, $30; privates of the first class or artificers, $23; musicians, $20; and privates of the second class or laborers, $18, with the same allowances as to other troops. I would under existing circumstances assign the four regiments of engineers as follows, viz: One regiment to the Army of Northern Virginia, now under the command of General Lee; one to Eastern and Middle Tennessee; one to the Valley of the Mississippi, including the Trans-Mississippi and the Gulf Coast; and the fourth to Charleston, Savannah, Wilmington, the eastern part of North Carolina, and as far north as Petersburg, Va. These troops will add vastly to the efficiency of the engineer service and facilitate the movements of our armies in the field. Measures have been already taken by this Bureau to commence the construction of pontoon trains, and the work will be pressed forward as rapidly as the limited resources of the country will admit of. Authority has been given also to the senior engineer officer serving with the armies in Tennessee to prepare a train for immediate use in the Western Department, where one is much wanted. Every effort has been made by this Bureau to press forward the defensive works of the country, both of the coast and inland, and it is believed, even with our limited means, that enough has been or will be done at the most important points to give comparative security. The policy of defending all the inlets of our coast has been wisely abandoned and our strength concentrated at the great military and commercial points. In fact, such concentration, both for coast and inland defense, is a necessity, and

by it alone can we oppose successfully the great strength and numbers of our invaders.

It has been my wish to have examinations and surveys made by competent military engineers at each place where our depots and bases of operations have been established, with a view to the prompt location and erection of defensive works for their protection in case the enemy should unfortunately penetrate toward the heart of the Confederacy. It might be wise to mark out on the ground even the outlines of the necessary works, so that a large laboring force might be in the emergency occupied at once in their construction. Important as are these measures, they have not been entered upon for the want of officers of engineers to perform the duty, but as soon as other calls of immediate necessity will permit this service will be undertaken. Engineer officers serving with troops in the field prepare maps, whenever possible, of their reconnaissances and surveys and forward them to this Bureau for file, but the want of time and opportunity has made it difficult for them in most cases to carry out my instructions in this regard.

Respectfully submitted.

Your obedient servant,

J. F. GILMER,
Colonel of Engineers and Chief of Bureau.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., December 26, 1862.

His Excellency JOSEPH E. BROWN,
Milledgeville, Ga.:

SIR: The President referred to this Department your letter of November 24, covering the resolutions of the Legislature of Georgia, requesting the return of a part of the powder loaned to the Government by that State; but owing to an accidental detention, under the pressure of business, your communication did not reach me until yesterday. I immediately directed the Chief of Ordnance to order Colonel Rains, at Augusta, to place 10,000 pounds of powder at your disposal, and informed you of my action by telegraph. Recent demands from your section of the country have drawn so largely upon our supplies of ammunition in that quarter as to render it inexpedient, in the opinion of the Chief of Ordnance, to furnish a larger quantity at present, but the Government recognizes to the full extent its obligation to return the powder so patriotically placed at its disposal by the State of Georgia; and should it be needed the quantity mentioned in the resolutions of the Legislature (25,000 pounds) will be delivered to your order from any of the arsenals in the State which may be most convenient to the points threatened. I trust, however, that your anticipations of trouble with the slaves during the Christmas holidays will not be realized.

With sentiments of esteem and respect, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, December 26, 1862.

DAVID IRWIN, Esq.,
Marietta, Ga.:

SIR: Your letter requesting a reconsideration of my decision against exemption of firemen has been received. The act of Congress does

not exempt firemen from service. The Department found that it could not make an exemption for one place and not grant the same privilege to another. Applications had come from a number of other cities, and complaints were made that the exemption of this class only furnished a convenient covering for capable arms-bearing men to escape a charge imposed upon the body of the people. The first want of the Confederacy is for men to meet the enormous and well-equipped armies of our enemy, and to furnish them every community must forego much that is necessary to its convenience and security. The Department therefore can find no safe rule in administering the law of exemption except that of adhering strictly to the statute.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

EXECUTIVE DEPARTMENT,
Milledgeville, December 29, 1862.

His Excellency JEFFERSON DAVIS:

DEAR SIR: I inclose you herewith copy of resolutions passed by the General Assembly of this State, which were approved on the 13th instant, for the organization of two regiments of State troops for the protection of the people of this State against the inroads of the invader and for the performance of police duty within the limits of this State; to maintain the public peace and the security of our wives and children against servile insurrection or rebellion.

In your letter to me of 29th of May last you say:

> Congress may call forth the militia to execute Confederate laws. The State has not surrendered the power to call them forth to execute State laws. Congress may call them forth to repel invasion; so may the State, for it has expressly reserved this right. Congress may call them forth to suppress insurrection; and so may the State, for the power is impliedly reserved of governing all the militia except the part in actual service of the Confederacy.

In conformity to your opinions as above expressed the Legislature of this State have, by their resolutions, authorized me to raise said two regiments out of any of the militia of this State who are not in the active service of the Confederacy or out of any other able-bodied men who may volunteer. Sincerely desiring harmony and concord between the State and the Confederate authorities in all matters pertaining to the common defense, I have instructed the militia officers of this State, in mustering volunteers into her service, "to muster in no one between the ages of eighteen and forty-five who has been actually enrolled into Confederate service by any enrolling officer of that service."

The doctrine of the concurrent jurisdiction of the State and the Confederacy over the militia, in case of invasion or insurrection and for the execution of their laws, respectively, having been laid down by you in plain terms, the General Assembly have preferred to act upon that doctrine, and, without waiving the right of the State over her whole militia, to confine the organization which they direct to such of her militia as have not been actually enrolled into Confederate service. I shall require of the State officers a strict conformity to this direction of the General Assembly of the State, and respectfully request that you give such orders to your enrolling officers within this State as will cause them to act upon your own construction of the

Constitution as above quoted, and to interfere with no part of the militia of this State who have been called forth by the State and actually mustered into her service to be used for the suppression of insurrection and the repulsion of invasion. Inclosed I also send copy of the general order from the office of the adjutant and inspector general of this State, under which the two regiments are to be organized.

I am, with great respect, your obedient servant,

JOSEPH E. BROWN.

[Inclosure No. 1.]

Resolutions passed by the General Assembly of Georgia authorizing the Governor to organize two regiments of State troops to be employed in the military service of the State for the protection of her people against the invading forces of the enemy and for internal police duty.

Resolved by the General Assembly, That the Governor be, and he is hereby, authorized to call into the service of the State two regiments of militia, to consist of companies not exceeding 100 men, rank and file, including the two companies now in service on the Western and Atlantic Railroad; such amount of said force to be employed for guarding and protecting the railroad bridges of this State as he may deem necessary, and the remainder of said force to be used for such purposes and at such points in this State as to His Excellency shall seem advisable.

Resolved further, That His Excellency the Governor be, and he is hereby, authorized in raising said regiments to advertise and call for volunteers from all the militia except the part in actual service of the Confederacy, and from such able-bodied citizens of this State not subject to military duty as will volunteer, stating where each regiment will be located or expected to perform service; and the same shall be organized by the adjutant-general of this State pursuant to the laws of force in said State and such rules and regulations consistent therewith as he may prescribe therefor.

Resolved further, That the regiments so organized shall be governed by and subject to the Rules and Articles of War of the Confederate States, the military laws of the Confederate States, and the Confederate Regulations for the Army, so far as consistent with the constitution of Georgia.

Resolved further, That the pay and allowances of the officers, noncommissioned officers, musicians, and privates shall be the same as in the Confederate Army, and drawn from the military fund provided for the year 1863 according to the usage now obtaining.

WARREN AKIN,
Speaker of the House of Representatives.
L. CARRINGTON,
Clerk of House of Representatives.
JOHN BILLUPS,
President of the Senate.
JAMES M. MOBLEY,
Secretary of the Senate.

Approved December 13, 1862.

JOSEPH E. BROWN,
Governor.

[Inclosure No. 2.]

GENERAL ORDERS, No. 23.

STATE OF GEORGIA,
ADJT. AND INSP. GENERAL'S OFFICE,
Milledgeville, December 17, 1862.

Under the resolution of the General Assembly assented to December 13, 1862, authorizing two regiments to be organized for the service of the State, the Governor will accept the first fifteen companies tendered that shall consist of not less than 90 nor more than 100 men, rank and file. In addition, he will accept three companies to be made up within the counties of Gilmer, Fannin, Union, Towns, Rabun, Habersham, White, and Lumpkin as soon as tendered, if made up within a reasonable time—say thirty days from the date of this order. In his opinion reasons exist which justify the exception from the State at large of the counties above named, and he hopes that those citizens within these counties who may have been dissatisfied will no longer stand out against the laws of their country, but will, now that an opportunity is offered, take up arms in defense of their own State. All the companies thus raised will serve within the limits of Georgia, and so soon as ninety-four men are actually associated together, will elect their company officers, to wit, captain, first, second, and third lieutenants, pursuant to the laws now of force in the State.

These eighteen companies, when organized, together with two companies of bridge guards already in service, will be formed into two regiments of ten companies each. The ten companies organized nearest the upper line of the State will constitute the first regiment, and the ten companies organized nearest the lower line of the State will form the second regiment. Until further orders the headquarters of the first regiment will be at Atlanta and of the second regiment at Macon, though the companies of each will be stationed at different points and be moved frequently, either by detachments or by company, through the counties of that division of the State to which they may be attached, the better to suppress insurrection and to preserve the public peace. When necessary the companies of each regiment will be concentrated or otherwise combined, as in the opinion of the Governor the interests of the State may require.

By the resolution of the General Assembly authorizing these regiments, it is provided that the "Governor shall advertise and call for volunteers from all the militia except the part in actual service of the Confederacy, and from such able-bodied citizens of this State not subject to military duty as will volunteer." It is to be distinctly understood, therefore, that no one between the ages of eighteen and forty-five will be received who has been actually enrolled into the Confederate service by any enrolling officer of that service. On the other hand, the Legislature claims the right for any one to volunteer for the State service who is not in actual service in the Confederacy; and it is expected that no one who has been mustered into the State service will afterward be disturbed by any enrolling officer. As these two regiments are auxiliary to the great objects of the Confederacy, there is no reason why perfect harmony should not exist between the State and the Confederacy in their organization. Any colonel, lieutenant-colonel, major, or captain of the militia in actual commission is hereby authorized to muster into the service of the State any and all persons presenting themselves as volunteers, and as fast as mustered in to give to each a furlough of fifteen days and a certificate that he has been so mustered in; and if any person thus mustered in does not within fifteen days associate himself with one of the first fifteen companies to be formed, as above provided, and tendered to the Governor,

he will be considered as discharged from service without cost to the State. Any company failing to tender as one of the first fifteen will be rejected, and the individuals composing it will no longer be considered as in the service of the State.

As these regiments may be needed during the war or for a shorter period, they will be taken into the service for no specified term, but until disbanded. The pay and allowances of the officers, non-commissioned officers, musicians, and privates of these regiments will be the same as in the Confederate Army.

The following oath of allegiance will be administered by mustering officers to such as may volunteer:

I, ——— ———, do solemnly swear or affirm (as the case may be) that I will bear true allegiance to the State of Georgia, and that I will serve her honestly and faithfully against all her enemies or opposers whatsoever, and observe and obey the orders of the Governor of the State of Georgia and the orders of the officers appointed over me, according to the rules and articles for the government of the troops of Georgia.

Sworn to and subscribed before me at ——— this the —— day of ———, 18—.

The following certificate will be given to persons mustered in as above:

I certify that ——— ——— has this day been mustered into the military service of the State of Georgia by me under General Orders, No. 23, of December 17, 1862, from the adjutant and inspector general's office, and that he has a furlough for fifteen days from this date, with the privilege within that time to associate himself with any volunteer company which he may select and to assist in its organization, with the right to vote for his officers. The officer mustering in will forward the name of each person so mustered in to the adjutant and inspector general's office.

By order of the commander-in-chief:

HENRY C. WAYNE,
Adjutant and Inspector General.

GENERAL ORDERS, No. 112. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 30, 1862.*

I. The Bureau of Superintendent of Conscripts having been established in this city under the direction of Brig. Gen. Gabriel J. Rains, all reports, returns, and communications from commanders of camps of instruction will hereafter be addressed to that Bureau.

II. The Ordnance Bureau will hereafter transfer to the Quartermaster's Department all ordnance, ordnance stores, and supplies for which transportation may be required, which department will be charged with and responsible for the safe and speedy delivery of the same.

By order:

S. COOPER,
Adjutant and Inspector General.

STATE OF SOUTH CAROLINA HEADQUARTERS,
Columbia, December 30, 1862.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have the honor to inclose certified copy of "An act to organize and supply negro labor for coast defense, &c.," to which I ask your immediate attention.

I have the honor to be, very respectfully, your obedient servant,
M. L. BONHAM.

[Inclosure.]

THE STATE OF SOUTH CAROLINA.

At a General Assembly begun and holden at Columbia on the fourth Monday in November, in the year of our Lord one thousand eight hundred and sixty-two, and thence continued by divers adjournments to the eighteenth day of December, in the same year.

AN ACT to organize and supply negro labor for coast defense in compliance with requisitions of the Government of the Confederate States.

SECTION 1. *Be it enacted by the Senate and House of Representatives now met and sitting in General Assembly, and by the authority of the same*, That from and after the passage of this act this State shall be divided into four territorial divisions as follows, to wit:

Division No. 1: The judicial districts of Pickens, Greenville, Spartanburg, Anderson, Union, York, Chester, Laurens, Abbeville, and Newberry to constitute the first division.

Division No. 2: The judicial districts of Lancaster, Kershaw, Chesterfield, Marlborough, Darlington, Marion, Sumter, Clarendon, Williamsburg, and Horry, including Upper All Saints, to constitute the second division.

Division No. 3: The judicial districts of Fairfield, Richland, Lexington, Edgefield, Barnwell, and Orangeburg to constitute the third division.

Division No. 4: The judicial districts of Charleston, Colleton, Beaufort, Georgetown, including Lower All Saints, to constitute the fourth division.

SEC. 2. That the negro labor hereinafter required shall be furnished by the several districts aforesaid as follows, to wit: First, by division No. 2; next, by division No. 3; next, by division No. 1, and last, by division No. 4.

SEC. 3. That as soon as the Governor shall have received from the Confederate Government, through the proper officer authorized thereto, written assent and agreement to the terms and conditions hereinafter set forth, he shall call for such labor as may be demanded by the Confederate military authority from the several divisions in the order aforesaid, to be furnished by the slave-holders thereof in proportion to the slave population as specified in the last census return of this State: First. That the slaves liable to this call shall be the same that are liable to road duty in this State. Second. That it shall be the duty of the commissioners of roads and the authorities of incorporated cities, towns, and villages not subject to the jurisdiction of the commissioners of roads in the performance of road duty in the several districts to summon the owners to furnish their respective quotas of slave labor which the Governor shall require. Third. That each levy under the call shall serve for one month, and until relieved in turn by the next levy; and if the said commissioners of roads or any of them shall neglect or refuse so to summon such slave-owners to send their said slaves in pursuance of the requisition aforesaid, such commissioners or commissioner shall suffer for each and every such neglect or default the same pains and penalties, and in the same manner, as now prescribed by statute law in this State, and that the boards of commissioners shall have power to appoint commissioners in such divisions as are now vacated by the absence of commissioners in the present war, for the ensuing year, from citizens of any age. Fourth. That such notice

shall be given by the engineer or other officer of the Confederate Government of all requisitions for negro labor, except the first, as will enable the owners of slaves to have thirty days from the time of summons to the time of furnishing their respective quotas of slaves; that the first requisition may be made with such notice as the urgency of the case will permit. Fifth. That the Confederate authorities shall furnish transportation by railroad from the depot nearest the owner's residence, the owner to transport his or her slaves, at his or her own expense, to such depot, irrespective of the distance of such depot from his or her residence. Sixth. That rations shall be supplied by the Confederate authorities to the said slaves from the time of their arrival at such depots until their return to the homes of their owners. Seventh. That the pay of each slave shall be eleven dollars per month, to be paid by the Confederate Government, and to be sheltered and receive all proper medical attendance in case of sickness. Eighth. That the Confederate Government shall be liable to the owner for any loss or damage of or to the slave or slaves during his or their service, or from disease contracted in service, such liability to commence on the arrival of such slave or slaves at the railroad depot for transportation and to continue until his or their return to the same, and the value shall be assessed as hereinafter provided.

SEC. 4. That a State agent shall be appointed by the Governor, who shall receive for his services the pay of a lieutenant-colonel of infantry, as allowed by the Confederate Government during his employment, to be paid to him monthly by the Confederate Government, and there shall be also one overseer for every one hundred slaves, said overseers to be selected by the owners, or their agents, and to receive each fifty dollars per month during his employment, to be paid monthly by the Confederate Government; these said overseers to be, during their employment, subject to the orders and the jurisdiction of the Confederate military authorities.

SEC. 5. That it shall be the duty of the State agent to visit all the camps of the laborers, to examine their condition, to observe their treatment and discipline, to examine their food, both as to quality and quantity, and see that it is the proper ration for each, as is allowed by law, and particularly to inform himself as to their medical and surgical attendance and care, and, whenever required, to report the same to the Governor; and especially at the conclusion of the tour of service of each bevy it shall be his duty to make such a report to the Governor, in whose possession it may be open for examination by the owners of the said slaves.

SEC. 6. That it shall be the further duty of the State agent to collect and receive the slaves as they shall be called into service at the several railroad depots where they are to be delivered, to give receipts therefor to the owners or their agents at such depots, and send forward the said slaves to their points of destination; and he shall also be present at the assessment of the slaves, hereinafter provided, and see that the same is made in duplicate, and certify the same, one copy to be given to the owner and the other to be retained by the Confederate authorities.

SEC. 7. That it shall be the duty of the said State agent to certify the bills for the pay of the said slaves for their respective owners, specifying the number of the said slaves, the time they have been employed, and the names of the owners, which bills, so certified, shall entitle the owners by themselves, or the order indorsed thereon, to receive the same from Confederate authority.

SEC. 8. That in case of any attack by the enemy the slaves shall be immediately removed to some place of safety, and it shall be the duty of the State agent and overseers to carry this provision promptly into execution, subject to the order and direction of the Confederate commanding officer at the time and place where the slaves are employed.

SEC. 9. That before the slaves shall be employed in labor by the Confederate authorities they shall be assessed by an assessor to be chosen by said authorities, and an assessor selected by the owner or State agent; the assessment shall be in writing and contain the name of the owner, the name or names of the slave or slaves, and his or their respective value or values, to be taken in duplicate in presence of the State agent, who shall certify the same, one copy to be delivered to the owner and the other to be retained by the Confederate authorities, and such assessment shall be conclusive of the value of said slave or slaves.

SEC. 10. That it shall be the duty of the commissioners of roads to see that one or more of their number be present at respective railroad depots, where the said slaves are delivered to the State agent by the owner, to verify the quota which each owner is bound to furnish under the call, and in default thereof they shall be liable to the same penalties as now provided by law for not summoning hands to work on the railroads in the several districts.

SEC. 11. That if any owner of slaves shall neglect or refuse to send his slave or slaves liable to the call hereinbefore mentioned after the notice herein provided shall have been given him or her by the commissioner so to do, such owners shall be liable to the same fines and penalties now provided by statute law for default in the performance of road duty, of which default the Board of Commissioners shall have full jurisdiction.

SEC. 12. That no slave-owner shall be exempt from supplying slave labor for such requisitions by reason of his slave or slaves being employed at the passage of this act in manufacturing or on railroads, or in the boiling of salt, or in any Government contract; but in such case the owner may commute for such service by paying into the State treasury a sum of money to be computed at eleven dollars per month for each of such slaves for the time their labor would have been required under this act.

SEC. 13. That in the apportioning of the levies in the said several divisions slave-owners who have already furnished the slave labor shall be credited therefor in the requisitions to be made under this act, and no more labor shall be required from such owners than may be sufficient, with the labor already furnished by them, respectively, to make up their respective quotas.

In the Senate house the eighteenth day of December, in the year of our Lord one thousand eight hundred and sixty-two, and in the eighty-seventh year of the sovereignty and independence of the State of South Carolina.

W. D. PORTER,
President of the Senate.
A. P. ALDRICH,
Speaker of the House of Representatives.

SECRETARY OF STATE'S OFFICE,
Columbia, December 29, 1862.

I hereby certify the foregoing to be a true copy of an act entitled "An act to organize and supply negro labor for coast defenses in com-

pliance with requisitions of the Confederate Government," ratified the 18th day of December, A. D. 1862, and now on file in this office; words "Government of the" interlined on first page before certifying.

Given under my hand and the seal of the State.

[SEAL.] WM. R. HUNTT,
Deputy Secretary of State.

SPECIAL ORDERS, No. 306. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 31, 1862.*

* * * * * * *

XV. Maj. George Johnston, quartermaster, is hereby assigned to duty as inspector of field transportation. He will receive from time to time instructions from the Quartermaster-General and will be governed accordingly.

* * * * * * *

By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

RICHMOND, VA., *December 31, 1862.*

General S. COOPER,
Adjutant and Inspector General:

GENERAL: Having asked a conference of the presidents and superintendents of the railroads in the Confederate States on the 15th instant at Augusta, Ga., for the purpose of consultation as to Government transportation, I have the honor to report the result of that conference and of my subsequent action:

Agreeably to my call there was a general attendance, and, after organizing, I read to the convention a letter (copy of which is hereto attached and marked A) setting forth as briefly as possible the object to be accomplished and expressing a desire on my part to do all that I could to aid the roads. Whereupon the convention appointed three committees, one to confer with me and report business for the convention; one to take into consideration a tariff of charges for Government transportation, and one to report a schedule to be run between Richmond, Va., and Montgomery, Ala. The committee appointed to confer with me had under consideration a plan or system to be adopted by which to carry on Government transportation. This committee was unable to agree and so reported to the convention, but submitted a plan which had been suggested by a part of the committee, and which I believed would work satisfactorily. In the report of the convention this plan appears as having been proposed by me, whereas it was, as I have said, suggested by a part of the committee; but as they could not agree and did not submit a majority and minority report this method was taken to bring some plan before the convention. Upon this plan some debate was had, and when it was put to vote it was rejected, as will be seen by the report of the convention (which is hereto attached and marked B). Having rejected this plan, a resolution was introduced expressing an earnest desire to co-operate with me in carrying on Government transportation, but failing to agree upon any definite plan of action I regarded the resolution as of no value beyond the expression of the good wishes of the convention. The committee

to whom was referred tariff of charges for Government transportation made a report proposing a very considerable advance upon the present rate. While it was under consideration I said to the convention that I had hoped the tariff of charges would not have been disturbed for the present; that while there were roads that ought to receive a larger compensation than at present, there were, I was satisfied, others that were fully remunerated by the present rates; that I did not think a uniform rate just, but I should require more time than I then had to enter into any consideration and agreement for a change, and that I should feel bound to report against the tariff of charges then proposed; yet, upon the report of this committee being put to vote, it was, with some modification, adopted by the convention. In my judgment this tariff is not equitable with any classification of the railroads that can be made, and I respectfully submit whether or not the action of the convention in this particular shall be ratified.

The committee to whom was referred a schedule between Richmond, Va., and Montgomery, Ala., failed to arrive at anything satisfactory. Having in my judgment failed to accomplish anything practicable by the action of the convention, I addressed a circular to the presidents of the railroads in the country (copy of which is hereto attached and marked C), asking that the superintendent of each road be allowed to act as my assistant in conducting Government transportation and indicating his duties in so doing. To this circular I hope for a favorable response, and I trust a system may be built up from it which will result satisfactorily.

Having thus stated the action of the convention of the presidents and superintendents of railroads and what I have done to organize a system of Government transportation, it may be proper for me to give some idea of the origin of the difficulties and detentions of the transportation of Government freights, which it is proposed to obviate by my appointment. Amongst the first and most important is the disregard many army officers have for the private property of railroad companies; as, for instance, ordering rolling-stock from one road to another without making any effort or provision for returning it, or even without examining into the safety of the cars to run. Impressing cars and engines has been a common occurrence, and to such an extent has the ordinary routine of employés been interfered with that they cease to feel a proper interest in conducting a business which invests them with no responsibility so long as quartermasters are exercising a quasi control of the road and its stock. This involves the Government in much additional expense and causes the demoralization of railroad employés. At some depots where ordinarily the railroad companies would transship freight at their own expense, quartermasters feeling that some extra vigor is necessary in times of such delay, will employ labor at Government expense to do the transshipping or loading which should properly be done by the railroad companies. This plan having once been started must continue so long as there is any interference with freights after the Government agents turn it over to the railroads. The railroad employés are much more competent to perform all the duties pertaining to the safe and rapid transportation of freights than any one not conversant with the very many details connected therewith, but they can only remain efficient so long as they are held to an entire and strict responsibility.

In regard to these difficulties I would suggest that they might be reached and remedied by a general order, the details of which I will

furnish if my views are carried out. As of still greater importance than the foregoing difficulties I would ask attention to the actual condition of the rolling-stock and machinery now in use, and the scarcity of men to operate the roads and repair the machinery. Many of the roads had scarcely enough of anything at the beginning of our troubles for more than ordinary repairs, and the wealthiest and most provident companies are beginning to feel severely the want of all kinds of supplies. To some extent the Government can give them relief by permitting the iron foundries and rolling-mills now engaged wholly on Government works to furnish them with the necessary materials, and by permitting the detail of men already enlisted or exempting from conscription of such men as are necessary for the safe conduct of the railroads of the country. There is not a railroad in the country which has an efficient force to-day, and the power vested in the enrolling officer is seriously diminishing even the small number of men left to perform duties upon roads, the success of which is of the first importance to the Confederacy. These difficulties must be remedied or the roads will very soon be quite unable to meet the requirements of Government, and the election must now be made between letting them go down or rendering them the necessary assistance for successful operation.

Trusting that these hasty observations and suggestions will meet with approbation,

I am, general, very respectfully, your obedient servant,

WM. M. WADLEY,
Assistant Adjutant-General.

[First indorsement.]

JANUARY 1, 1863.

Respectfully submitted to Secretary of War.

S. COOPER,
Adjutant and Inspector General.

[Second indorsement.]

Examined. Colonel Wadley's views on the proposed tariff of prices approved. Oral instructions given as to further negotiations and arrangements with the roads.

J. A. S.,
Secretary.

A.

AUGUSTA, *December 15, 1862.*

PRESIDENTS AND SUPERINTENDENTS OF RAILROADS IN THE CONFEDERATE STATES:

GENTLEMEN: I have asked a conference with you for the purpose of taking into consideration the difficulties that now exist in Government transportation, and as far as practicable to remedy any defect that may be found in the present plan upon which it is transacted. Safety and dispatch are the ends desired. To accomplish these ends it is necessary to arrange schedules so as to enable your trains to connect with as little delay as possible, and to have a mutual understanding and agreement for the delivery and receipt of freight between connecting roads. In this connection I desire to avoid sending messengers with freight. I do not know the nature or extent of the difficulties that have been experienced, and therefore I cannot suggest a remedy, but I presume the want of rolling-stock by some

roads, while that of others has been scattered over distant lines leaving the owners without sufficient to transact their business, is among them. As a partial remedy to the roads in want of rolling-stock, I propose to part with all that is owned by Government, and I desire the roads having a superabundance to supply (as far as practicable) those that are deficient. I do not suppose there is enough to supply all, yet a fair distribution will very much relieve the wants of the country, and I trust that those more fortunate than their neighbors will promptly come to their relief in this time of need. To prevent cars from being scattered I think that an arrangement should be entered into in reference to interchange between roads, and when once determined on let it be rigidly enforced. In providing for transshipment it may be desirable that exceptions should be made for heavy ordnance. I requested the Quartermaster-General to have his bureau represented at your meeting in order to meet any questions that may arise in reference to evidence of transportation or of auditing your accounts, and to represent this department allow me to introduce to you Major Wood and Captain Smith, of the Quartermaster's Department. If there are other matters in reference to Government transportation upon which it is desirable to have an understanding, or if there is anything I can do as the agent of the Government to facilitate transportation, I shall be very willing to co-operate with you. With this brief statement of my object in calling you together, I trust that you will unite in trying to accomplish the desired object. With your cordial co-operation I am sure all difficulties will vanish, and without that co-operation I am equally certain that my appointment will be of no avail. In conclusion let me beg that you will take sufficient time to mature whatever we undertake to do. I desire all possible dispatch, but from my past experience in meetings of this charater I am satisfied that there is too much haste in bringing them to a close.

I am, gentlemen, very respectfully, your obedient servant,

WM. M. WADLEY,
Assistant Adjutant-General.

B.

AUGUSTA, *December 15, 1862.*

Pursuant to a call from Col. William M. Wadley, assistant adjutant-general, the convention of railroad officers met in the Masonic Hall at 10 a. m. On motion of Mr. Pollard, Mr. Cuyler, president of the Georgia Central Railroad, was called to the chair, and Alfred L. Tyler and William L. Clark were appointed as secretaries. The meeting having been organized, the following roads were found to be represented:

Alabama and Florida Railroad of Alabama, C. T. Pollard, president, S. G. Jones, superintendent; Alabama and Mississippi Rivers road, W. S. Knox, secretary and treasurer; Alabama and Tennessee, T. A. Walker, president, William Rothrock, superintendent and engineer; Alabama Shelby Coal Mine Branch, William Rothrock, superintendent and engineer; Atlanta and West Point, John P. King, president, George G. Hull, superintendent; Georgia Central and branches, R. R. Cuyler, president, G. W. Adams, superintendent; Charleston and Savannah, B. D. Hasell, president; East Tennessee and Georgia, C. Wallace, president; East Tennessee and Virginia, J. R. Branner, president; Rogersville and Jefferson, R. C. Payne, president; Florida, Atlantic and Gulf, S. L. Niblack, president and superintendent;

Richmond, Fredericksburg and Potomac, Charles Ellis; Virginia Central, Charles Ellis; Virginia and Tennessee Railroad, R. L. Owen, president; Vicksburg, Shreveport and Texas, J. U. Horne, president; Brunswick and Florida, C. L. Schlatter, president; Western and Atlantic, by letter from J. S. Rowland, superintendent; Montgomery and West Point, C. T. Pollard, president, D. H. Cram, superintendent; Wilmington and Manchester, T. D. Walker, president; Wilmington and Weldon, S. D. Wallace, president, S. L. Fremont, superintendent; Mobile and Girard Railroad, B. E. Wells, engineer and superintendent; Mobile and Ohio, L. J. Fleming, superintendent; Nashville and Chattanooga and branches, V. K. Stevenson, president; Nashville and Northwestern, V. K. Stevenson, president; New Orleans, Jackson and Great Northern; North Carolina Central, by letter from T. J. Sumner, superintendent; Muscogee Railroad, J. L. Mustian, president, W. L. Clark, superintendent; Macon and Western Railroad, Isaac Scott, president, A. L. Tyler, superintendent; Southwestern, R. R. Cuyler, president, Virgil Powers, superintendent; Orange and Alexandria, R. L. Owen; Richmond and Petersburg, Charles Ellis, president; Petersburg Railroad, C. O. Sanford, superintendent; Savannah, Albany and Gulf, Hiram Roberts, president, G. I. Fulton, superintendent; Raleigh and Gaston, W. J. Hawkins, president; Charlotte and South Carolina, E. Hurlbut, superintendent; Georgia Railroad and branches, John P. King, president, George Yonge, superintendent; Atlantic, Tennessee and Ohio, E. Hurlbut, superintendent; South Side Railroad, H. D. Bird, superintendent; Richmond and Danville, C. G. Talcott, superintendent; Southern Railroad, by letter from M. Emanuel, vice-president; Northeastern, S. S. Solomons, superintendent; Cheraw and Darlington, S. S. Solomons, superintendent.

The chairman then proceeded to read Order No. 98, from the Adjutant and Inspector General's Office, stating what powers the Government had delegated to Colonel Wadley, after which the latter proceeded in the following letter to explain his reasons for calling the meeting.*

On motion of Mr. Pollard the chair appointed a committee of eight, including the chairman of the convention, to take into consideration the matters represented by Colonel Wadley and to report at 3 p. m. The following-named gentlemen composed that committee: Pollard, King, Owen, Ellis, C. Wallace, Stevenson, Fleming, Cuyler.

On motion of Mr. Fremont a committee of five was appointed to arrange rates of transportation for "men and things." The chair appointed Fremont, Adams, Yonge, Scott, Horne.

On motion of Mr. Sanford a committee of eight was appointed to consult with Mr. Offutt, of the Post-Office Department, and arrange schedules for the Southern route. The chair appointed Messrs. Sanford, Ellis, Fremont, Walker, Yonge, Hull, Crain, Jones.

The meeting then adjourned till 3 p. m., at which time it met and was called to order by the chairman, when it was found the committee was not ready to report, and was further adjourned till 10 a. m. next day.

TUESDAY, *December 16, 1862.*

The convention met at 10 a. m. and was called to order by the chairman. The minutes of yesterday were read and confirmed. The

*See preceding letter.

committee on transportation made a report, which, on motion of Mr. Pollard, was referred back for amendments. The committee to take into consideration the matter reported by Colonel Wadley offered the following:

The committee to which was referred a resolution to confer with Colonel Wadley, chief of Government transportation, and to procure for the consideration of the convention such matters as will enable the railroad companies to meet the views of the Government, respectfully report that they have been unable to agree. They submit to the convention the following plans proposed by Colonel Wadley, upon which he believes he can carry out satisfactorily the duties which devolve upon him as chief of Government transportation.

C. T. POLLARD,
Chairman.

PLAN PROPOSED BY COLONEL WADLEY.

I would suggest for the consideration of the committee that harmonious and efficient action in relation to the public transportation can be secured upon a plan of this character:

First. My appointment of the several railroad superintendents as my assistants in the performance of my duties, without compensation; these assistants to observe the direction and carry out my views as chief manager of transportation, and to make reports to me at such times, and from time to time, as I may direct.

Second. The several railroad companies to allow the passage of their cars over adjoining roads, and for such distances and terms as to repairs and safe and speedy return, and upon such compensation and method of payment as I may prescribe. It is contemplated, by a regular system of reports from the assistants, to keep me at all times advised in relation to the situation and condition of the cars permitted to go on adjoining roads, so as to secure me their quick return in good [repair] to the roads to which they belong.

Third. In cases of necessity such railroad companies as may have it in their power to do so to allow, at my request, their locomotive engines to pass over adjoining roads in charge of the enginemen belonging to them, to be assisted by competent enginemen of the road receiving aid, and under such regulations as to rate of speed and tonnage hauled as I may prescribe, or such as the assistants belonging to the companies aiding and aided may be agreed on. The rate of compensation to be fixed by me.

Fourth. The Government, through its proper agents, to furnish to the several railroad companies all such railroad supplies, including subsistence for their negroes engaged in the repairs of road, as the Government may be enabled to furnish, at such cost, to be paid promptly in cash, as I may prescribe.

Fifth. The Government to be at the expense of returning to the several companies such of their engines, cars, &c., as were ordered from the railroads owning them by the Government, and this return to be made as soon as it can be safely done under my direction.

Sixth. The Government to aid in the construction of such railroad connections between roads as I may consider and report to be necessary.

Seventh. Demands for Government transportation to be made upon me, or any of my assistants, by any commanding officer authorized to make it, and where delays are occasioned by the act of such officer due compensation to be determined by me to be made to the company delayed.

Eighth. The appointment by me at Government expense of agents to superintend the carriage of goods or troops over such breaks as may exist at the termini of railroads.

Ninth. Such companies as may have more engines or cars than necessary for their business to sell the same to companies wanting aid, at prices to be agreed upon.

Mr. Pollard offered the following resolution:

Resolved, That the railroad companies represented in this convention concur in the plan suggested by Colonel Wadley, chief of Government transportation, and adopt it.

Mr. Stevenson offered the following substitute, which, on motion, was adopted by a vote of twenty-five ayes to eight nays:

Resolved, That the convention of railroad officers now holding take this means of acknowledging their approval of the appointment of Colonel Wadley by the

Government to take the direction of Government transportation; and the railroads cheerfully pledge to the Government their assistance and co-operation with Colonel Wadley in carrying out the wishes of the Government and in perfecting the connection of roads and quick transfer of freights and passengers from road to road.

Mr. Owen offered the following resolution, which was adopted:

Resolved, That in view of the existing necessity of some agent for the Government upon each line of railroad, the superintendent of each road be requested to offer his services to Colonel Wadley, assistant adjutant-general, and assist him in carrying out his views and make such reports to him as may be deemed necessary to him.

The committee on transportation submitted the following amended report, which, on motion, was adopted:

REPORT.

In view of the greatly enhanced value of every article entering into the consumption of railroad companies, and as railroad companies have been forced to increase their charges for the transportation of freight and passengers in their general business, your committee can see no reason or justice for retaining the present rates for carrying for the Government. We therefore submit the following tariff of charges: For troops—To be 2½ cents per man per mile on main or thoroughfare lines, and on side or local lines, 3½ cents per mile. All soldiers on furlough to be charged at the foregoing rates. Commissioned officers or Government agents traveling with or without requisitions shall be charged full fare. The roads to be classed by Colonel Wadley, chief of Government transportation. On things—First class, percussion-caps, powder, and fixed ammunition, 60 cents per 100 pounds per 100 miles. Second class, all articles not enumerated in the first, third, fourth, and fifth classes, 30 cents per 100 pounds per 100 miles. Third class, live stock, $30 per car per 100 miles; less than a carload local rates will be charged. Fourth class, hay, fodder, shucks, bran, straw, empty wagons, ambulances, and other Government carriages, $20 per carload per 100 miles. Fifth class, wood, coal, lumber, stone, and bricks to be carried by special contract, or at local rates of each road. For all distances less than 50 miles, to be paid as 50 miles, and for 50 miles and less than 100 miles, to be paid as 100 miles. Extra or special trains ordered by proper authority, to be paid for at the rate of $1 per mile for the locomotive and one car, and for every additional car 10 cents per mile for freight and 15 cents per mile for passenger cars. When an officer having proper authority orders a train to be held in readiness for transportation of troops, the proper charge for the locomotive shall be $25 per day and $3 per day for each car, including the services of conductor, engineer, train hands, and firemen while so held, and no charge to be less than for one day. When trains of one road pass over another carrying troops or freight of any kind, the road owning the train shall receive as full compensation for such trains one-eighth of its earnings, to be paid by the road owning the track passed over. For the transportation of the bodies of soldiers killed in battle or that die in service each road shall adopt its own rules and rates of charge. The Government should in all cases state by what train, freight or passenger, the transportation is to be performed, and when it is by passenger train 50 per cent. additional to the foregoing rates shall be charged. It is the decided and unanimous opinion of the committee that all Government trains should be discontinued at once and the machinery turned over to the roads most in need of it, to be determined by Colonel Wadley, chief of Government transportation. The committee recommend the rates fixed in this report be not applied to roads west of the Mississippi River. The committee submit the following resolutions and recommend their adoption:

1. *Resolved*, That the foregoing rates of transportation of men and things and the rules of charges set forth in this report be, and the same are hereby, adopted, to take effect on the 1st day of January next.

2. *Resolved*, That this convention are of opinion that the amount due each railroad company for transportation of men and things should be settled monthly by the quartermaster nearest the principal office of the company within fifteen days after the close of the month.

Respectfully submitted.

S. L. FREMONT.

By Mr. Adams:

Resolved, That Colonel Wadley be earnestly requested to have all the cars seized and removed from the various roads by Government officers returned at the earliest practicable moment to the roads to whom they belong.

Passed.

By Mr. S. L. Niblack:

Resolved, That the roads in the State of Florida are excepted from the report of the committee on transportation as adopted by the convention.

Passed.

By Mr. Pollard:

Resolved, That such roads as have been or may be in the possession of the enemy, or partially destroyed, be excepted from the report of the committee regulating the rates of transportation.

Passed.

By Mr. Fleming:

Resolved, That a committee of five be appointed by the chairman to confer with the Postmaster-General and to petition Congress for an increase of compensation for the transportation of the mail, and the passage of a law for the more equitable adjustment of fines and forfeitures for failures to perform the same.

Passed, and the chair appointed Fleming, Sanford, Stevenson, Ellis, and Owen.

The committee on schedules not being ready to report, were relieved from further duty.

By Mr. Adams:

Resolved, That the secretaries have a sufficient number of copies of the proceedings of the convention printed and send ten copies to each road represented, by express, with bill of proportionate expense of printing.

Passed.

The meeting adjourned *sine die*.

C.

AUGUSTA, GA., *December 17, 1862.*

To ——— ———,
——— ———:

DEAR SIR: Having failed at the recent meeting of presidents and superintendents of railroads in the Confederate States to agree upon definite plan for carrying on Government transportation over the several railroads of the country, and deeming it of the first importance that some system should be agreed upon by which all will act in harmony, I respectfully submit and ask your concurrence and agreement to the following:

Your superintendent to act as my assistant, without compensation, in conducting Government transportation over your road, it being his duty to receive from commanding and authorized officers orders for transportation, and to order and conduct such transportation to destination or to a connecting road, as the case may be; to receive from and deliver to connecting roads all freight from or destined to connecting lines; to report to me at least once a week the general condition and state of Government transportation and conduct of Government agents on his road, and in the event of any accident or stoppage of Government freight or troops to make special report of the same by telegraph; in the event of any unusual amount of freight or troops to

be transported, to be reported by telegraph or letter to the superintendent of the road over which the same may have to pass in order that he may be prepared for the same; to make immediately a full and accurate report of the amount and condition of his rolling-stock and the general condition and wants of his road, and in the event of any change in his rolling-stock or road to report the same. My object in obtaining the information in reference to the rolling-stock, condition, and wants of the several roads in the country is to enable me to aid those in want so far as may be in the power of the Government to supply. If you agree to this plan of carrying on Government transportation you will please notify me at Richmond, Va., and instruct your superintendent to enter upon the discharge of his duties in accordance with it immediately. On the other hand, if you object to the plan, or to your superintendent acting as my assistant, be pleased to notify me, in order that I may provide some other manner of superintending and conducting Government transportation over your road.

I remain, very respectfully, your obedient servant,

WM. M. WADLEY,
Assistant Adjutant-General.

Consolidated abstract from returns of the Confederate forces on or about December 31, 1862.

[Compiled from such returns as are on file in the War Department.]

Command.	Present for duty.		Aggregate present.	Aggregate present and absent.	Date of return.
	Officers.	Men.			
Department of Northern Virginia (Lee)	5,827	70,972	91,093	152,842	Dec. 31, 1862
Department of Western Virginia (Jones)	241	3,922	4,802	6,731	Dec. 31, 1862
Department of Henrico (Winder)	85	1,486	2,017	2,680	Dec. 10, 1862
North Carolina and Southern Virginia *a* (G. W. Smith).	2,204	32,087	40,547	50,871	Dec. 31, 1862
Department of East Tennessee (E. K. Smith)	499	6,797	9,268	15,435	Dec. 31, 1862
Department of South Carolina, Georgia, and Florida (Beauregard).	1,226	19,237	25,159	32,170	Dec. 30, 1862
Department of the West *b* (Johnston)	4,245	54,548	68,439	99,536	Dec. 10 and 20, 1862
Department of Mississippi and East Louisiana (Pemberton).	2,878	36,592	48,141	70,155	Dec. 31, 1862
Valley District of Virginia (Davidson)	42	496	1,695	1,788	Nov. 30, 1862
Trans-Mississippi Department *c* (Holmes)	587	9,237	12,854	17,231	Nov. 30 and Dec. 4, 1862
Total	17,834	235,374	304,015	449,439	

a Including the commands of Elzey, French, and Whiting.

b The only returns of this command on file of an approximate date are for the Army of Tennessee (Bragg), December 10, 1862, and for the District of the Gulf (Buckner), December 20, 1862.

c The only returns of this command on file of an approximate date are for the District of Western Louisiana (Taylor), December 4, 1862, and for the District of Texas, New Mexico, and Arizona (Magruder), November 30, 1862.

Act of the General Assembly of Louisiana.

AN ACT to authorize the Governor of the State of Louisiana to press into the service of the State slaves and other property for the public defenses of the State during the present war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That

the Governor of this State be, and he is hereby, authorized to press into the service of the State, for the purpose of constructing fortifications and other works for the public defenses, not exceeding at any one time one-half of all the able-bodied male slaves from eighteen to fifty years of age, belonging to any one person or persons, or under the charge of any person or persons, within the State of Louisiana, together with such utensils and other movables deemed necessary to work such slaves pro rata; and the slaves so pressed shall be valued by sworn appraisers, to be named, one by the officer charged to make the press and another by the owner or persons having charge of such slaves; and in case of disagreement the two appraisers to choose an umpire; and in case of neglect or refusal of the owner or person having charge of such slaves, then and in that case both appraisers are to be named by the officers and the utensils and movables are to be appraised in like manner. And it is hereby made the duty of the several sheriffs in the State to furnish a list of the owners and number of slaves owned or in possession of each within their respective jurisdictions, and that the Governor shall delegate the same authority to the military officer (State or Confederate) commanding the department where the fortifications or other works are to be erected either to protect or redeem any portion of the State.

SEC. 2. *Be it further enacted, &c.*, That in case of the loss of any such slave or slaves by reason of being so pressed into the service of the State, then and in that case the owner or owners shall be entitled to demand and receive the value of such slave or slaves, payable in State treasury notes, and the owner or owners of such slaves shall be entitled to demand and receive wages for such slave at the rate of $1 per day for each and every day actually employed on the works and in going and returning, to be paid in the treasury notes of the State or Confederate States, and the utensils and other property pressed shall be paid in like manner or returned in kind.

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Approved January 1, 1863.

SPECIAL ORDERS, No. 1. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., January 2, 1863.*

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XXII. The following-named officers are assigned to duty with Brig. Gen. Gabriel J. Rains, general superintendent of conscription service in this city, and will report accordingly: Lieut. Col. George W. Lay, assistant adjutant-general, Provisional Army, C. S.; Lieut. Col. A. C. Jones, Forty-fourth Virginia Volunteers.

By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, January 3, 1863.

His Excellency JEFFERSON DAVIS,
President of the Confederate States of America:

SIR: I have the honor to submit to you the following report of the action and condition of this Department:

After the toils, privations, and many battles of the past year, it is gratifying to be able to present the Army as fully equal, if not supe-

rior, in all the elements of strength to what it has been at any previous period of the war. Its numbers, though still seriously inadequate to fill fully its organizations, yet afford a nearer approximation than heretofore to that result. When, in addition, it is considered that a large proportion of these consist, not of new recruits, but of soldiers inured to the exposures of service and made veterans by the ordeal of constant danger, its superior endurance and stability must readily be acknowledged. It is not deemed requisite to state its precise aggregate nor to detail the exact proportions of its respective branches of service. It may be sufficient to say generally, in respect to the latter, that it is believed they exist in such respective proportion as approved military judgment considers most promotive of efficiency and co-operation. The Army thus constituted, could it be recruited and maintained to its full complement, would, in all probability, be the largest in proportion to population ever maintained in actual service by any nation, and would attain the maximum which the productions and resources of even the wide, expansive, and fertile regions of the Confederacy would, without oppressive exactions on the people, render judicious to sustain. Nor, when it is recollected how, with numbers much short of this standard of completion, it has in the past generally wrested victory from the far superior forces of the enemy and repelled the horde of invaders on which, with the presumptive insolence of anticipated success, our foes have relied to overwhelm us, can it be doubted that such an army would be fully adequate to all future needs and exigencies and sufficient to assure final peace and independence. To secure the completion of its numbers reliance must be placed on the measures of legislation known popularly as the acts of conscription, approved, the one on the 16th of April, 1862, and the other on the 27th of September, 1862. By the first of these acts all the male citizens of the Confederacy, capable of bearing arms, between the ages of eighteen and thirty-five, with a few guarded exceptions, were constituted soldiers of the Provisional Army and devoted first to filling up the ranks of the old organizations. This was one of the most remarkable ordeals to which the patriotism and self-devotion of any people were ever subjected. It was demanded by the imperious necessity of the crisis. Without decadence of the real valor of our people or their invincible determination to achieve their independence, the first flush of enthusiasm and the rush of volunteers, fired by threatened invasion, had comparatively ceased, and, not unnaturally, under experience of the diseases, privations, and hardships of a soldier's life and the influence of delusive hopes of a speedy peace inspired by early victories, the spirit of volunteering had died out.

While, however, the ardor of the individual did not suffice for the proffer of self-devotion, the sentiments and convictions of the mass recognized as the most sacred obligation the stern duty of defending, if need be, with their entire numbers their imperiled liberty, fortune, and homes. They were engaged in a righteous war for all men hold dear. Foes as malignant in intent, as unscrupulous in means, with numbers unexampled in modern war, aided by patient training, complete organization, and all the appliances of military science, were pressing on for their subjugation or extermination. The contrast presented at the same time by our banded forces was not less striking than discouraging. The periods of enlistment of more than two-thirds of our soldiers were very near their termination, and it was manifest that, notwithstanding the ulterior purpose of the great majority at

some future time to re-enlist in the ranks of the armed defenders of their country, their resolution was not sufficient to resist the prospects cherished for months amid the sufferings and monotony of the camps of returning to their homes and there temporarily enjoying their habitual comforts and pleasures. They had, too, for self-justification the plea that they had borne their part of the burden and peril and that it was inequitable that numbers equally interested and capable, but only less bold or more prudent, should enjoy all the benefits without sharing in their trials and dangers. Our Army was in incipient disorganization and on the eve of dissolution. The natural consequences ensued in a series of grave disasters. Reverse succeeded reverse. In the east, Roanoke Island, the key to the inland waters of North Carolina, was captured. We had to fall back from Manasses, abandon our defenses at Yorktown, and yield Norfolk with all the advantages of its contiguous navy-yard and dock. In the west, Forts Henry and Donelson fell, with the loss at the latter of the gallant force who had victoriously repelled till exhaustion disabled them to meet overwhelming numbers. All defenses on the Upper Mississippi had to be yielded or abandoned, and Nashville, the capital, and Memphis, the leading city, of Tennessee became the unresisting prey of the victors.

Finally, as the crowning stroke of adverse fortune, New Orleans, the commercial emporium of the South, with the forts that guarded the outlet of the great artery of trade in the West, after resistance so feeble as to arouse not less of shame than indignation, passed into the occupancy of our foes. It was the darkest hour of our struggle, and with a people of less heroic resolve and invincible spirit waging war against hosts avowing such malignant intents, it might well have caused discouragement and dismay. But to their honor be it said it only roused a more indomitable will and nerved to sterner struggles. A supreme effort of self-devotion and courage was recognized as necessary. The bill of conscription was passed and bravely accepted. Its first effect was to retain in the Army the soldiers whose terms of enlistment were just expiring. How great the sacrifice involved in the renewal of all their privations and dangers and the renunciation of their anticipated release and enjoyments may better be conceived than portrayed. Yet was there scarce a murmur of disappointment and disaffection, and not an instance, as far as known, of resistance or revolt. Scarce less meritorious was the action of the great body of the people who, with full realization of all to be encountered, yielded themselves or their dearest kindred to the call of their country's need.

The results worthily rewarded such sacrifices. The Army was speedily reorganized and recruited, and with sterner sense of the task and renewed hope it prepared to meet the exultant foe. The rapid concentration of the armies of General Sidney Johnston and General Beauregard, in the west, enabled them, with some approximation to equality of force, to strike a decisive blow and to win the brilliant victory of Shiloh, where the enemy was only saved from utter destruction by the hasty arrival of re-enforcements too numerous to be more than successfully repelled. In the east the happy boldness of General Magruder at Yorktown stayed at a critical time the advance of the grand Federal army destined for the capture of our Capital until our forces, rescued by the consummate strategy of General J. E. Johnston from the presence of enveloping armies, could arrive to the rescue. Signal checks given in partial battles at Williamsburg and

elsewhere dismayed and baffled the Federal army in its advance until General Johnston had securely withdrawn his forces to his chosen lines of defense. Meanwhile General Jackson by a series of rapid movements and bold attacks, in which strategy equaled valor, with far inferior numbers defeated successfully four generals with as many armies, swept the Valley of Virginia of hostile forces, made the Federal authorities tremble in their Capital, and frustrated the combinations by which the enemy had purposed to aid General McClellan and environ Richmond by large converging armies. During these operations the grand army of McClellan, inveigled by the skill of General J. E. Johnston to settle down on the swamps of the Chickahominy to the prudent occupation of digging trenches and earthworks, was on the first favorable opportunity stricken with marked success in the severe engagement of the Seven Pines. Unfortunately before his guidance had consummated victory General Johnston was wounded and disabled. Our army was then transferred to that consummate commander, General R. E. Lee. Soon thereafter summoning to his aid General Jackson, the prestige of whose name and recent exploits sufficed for the security of the Valley, he, in pursuance of a plan as admirably conceived as on his part boldly executed, assailed McClellan in flank and rear and by a series of bloody victories drove from their labored defenses his grand army. Shattered and dismayed it cowered for protection under cover of its gun-boats, there to swelter and waste beneath the oppressive sun and pestilent malaria of a shadeless plain on the banks of the Lower James. Even that measure of good fortune was due solely to those accidental miscarriages in combinations which in war often mar the wisest arrangements. The execution of General Lee's plan, with vigor equal to its conception, must inevitably have eventuated in the capture of the enemy's whole demoralized army.

While these triumphs were being won another large army of the enemy was advancing through Piedmont Virginia, toward its central lines of communication under the command of General Pope. He had disgraced the character of an officer by braggart boasts, and outraged humanity and civilization by stimulating and sanctioning desolating ravages and vindictive cruelties by his unscrupulous troops. General Jackson, dispatched with a moderate force to stay his progress, administered a speedy rebuke to his arrogant vaunts and gave an earnest of coming chastisement by defeating, in the sharp engagement of Cedar Run, his advanced division under General Banks. Soon after General Lee, despising the shrunken proportions and quelled spirit of the grand army in its unenviable asylum, proceeded with the larger proportion of his forces to unite with Jackson and confront the then collected and imposing army of Pope. By a succession of movements too masterly to be comprehended, and too rapidly executed to be withstood by Pope, he broke up his communications, interrupted his supplies, and by throwing forces in his rear drove him to rapid flight, chased him from the Rapidan to Bull Run, and at last forced him, but not until sustained by large re-enforcements from Washington, to a decisive battle on the already memorable field of Manassas. There a second victory, scarce less decisive than the first, attested the continuing superiority of our troops and the unchanged favor of the God of battles. The enemy fled for refuge under their old defenses at Arlington and again spread dread and confusion in their quaking Capital. Instead of wasting strength and resources by either assailing the strongholds of the enemy or

tarrying in the country wasted by the repeated ravages of war General Lee, with boldness and dexterity, passed his army rapidly into Maryland. There with part of his forces he penetrated to the center of the State, collecting large stores of much-needed supplies, and by strong appeals rousing the people of that oppressed State to strike for their own deliverance. With another portion the rapid Jackson moved to the capture of Harper's Ferry with its hostile force of 11,000 men and great stores of munitions and supplies. This was crowned with perfect success and must be recognized as among the most brilliant achievements of the war. Under the shock of our victories in the Valley and around Richmond and of the successes of our arms in the west the Federal Executive, still tenacious of the hope to crush us by surpassing numbers and resources, had ordered a draft of 600,000 more men to be at once furnished and hurried to the support of his still superior but disheartened armies. From the numbers of this call may be inferred both the extent of the panic and the losses of the enemy from our successive victories. At the commencement of the campaign they had based their boasts and their hopes on having 700,000 men in arms for our overthrow, and before that campaign was half completed their fears called for nearly a duplication of their original numbers.

While the events last described were occurring rapid and great additions under this call had been made to the Federal armies and not merely of untrained levies since the judicious disposition of them in garrisons and the remoter and less exposed theaters of action had placed at disposal large numbers of their best troops whose spirits had not been broken by defeat. By these means General McClellan, who had been summoned with his shattered remnant of the grand army to the defense of the Capital, was enabled at the head of an immense army to issue forth to attack General Lee and relieve Harper's Ferry. The movement, though more prompt than was anticipated, was too late for the latter purpose, as Harper's Ferry had already yielded, yet it brought him in the face of our forces before they had been concentrated from that and their other operations in Maryland. The first shock of his whole force was thus cast on one of the columns of General Lee's army guarding his rear at Boonsborough, and though most bravely sustained and even repelled by the gallant General D. H. Hill, yet his necessary retirement to the point of concentration selected by General Lee gave to the enemy the appearance of a first success, and was unscrupulously trumpeted as a great victory to animate the hopes and courage of the Federal army. Thus reinspirited with treble odds of numbers and artillery they ventured an attack on General Lee in the position near Sharpsburg, where he had collected the larger portion of the forces remaining to him after so many arduous marches and glorious victories. The battle, protracted from morn to night, was stubborn and bloody, but resulted in the final repulse of the enemy from all our positions. The field remained in our occupancy and the next morning to the challenging fire of our guns no response was made and no enemy appeared. McClellan had withdrawn, as afterward appeared, some five miles in retreat. The victory was ours, but gained over numbers already overwhelming and certain to be immediately re-enforced, it could not be followed up and improved. Exhausted by the unwonted celerity of past movements and by the inevitable losses of his many victories, and exposed to have his communications and supplies intercepted by his host of foes, General Lee judiciously withdrew his army, with all its numbers and stores, in

safety across the Potomac. The enemy, finding in this movement of wise precaution a pretext for the arrogant claim of victory, followed to the river-bank, but ventured not to assail their retiring conquerors, much less to cross the river in pursuit. Our gallant army, in proud defiance of the hosts gathered on the opposite shore, rested and recruited on the Virginia side with the satisfaction of having well-nigh destroyed two grand armies of invaders, and severely staggered a third, more numerous than either.

A pause of martial inaction ensued for some weeks, and may be considered as affording a termination in the east to one of the most remarkable campaigns of history. In the west less brilliant, but still very decisive, successes attended our arms. From the effects of the victory of Shiloh and of the reinvigorated ranks and spirits of our forces under the action of the conscript law our forces in each department prepared to make active advances, and by combined movements, pressing forward their discouraged and retreating foes, to repossess the country previously occupied by them and to go forward to the redemption of the State of Kentucky, and the attack of one or more of the leading cities in the west. In the prosecution of this plan North Alabama and Mississippi were speedily cleared of the footsteps of the foe. All of Tennessee, save the strongholds of Memphis and Nashville and the narrow districts commanded by them, were retrieved, and by converging armies nearly the whole of Kentucky was occupied and held. The signal victory of Richmond was won with the capture and dispersion of nearly the whole much superior forces of the enemy by the skill and valor of General E. Kirby Smith and his brave command, while a series of brilliant cavalry movements and successes, won by the gallant Colonel Morgan, broke up all efforts on the part of the disaffected Unionists or scattered Federal forces to rally and combine and afforded at once protection and encouragement to rise to the loyal citizens of the State. These movements threatened the safety and excited the greatest consternation of the cities of Cincinnati and Louisville. Meanwhile General Braxton Bragg, with a well-appointed army, trained and disciplined under his efficient organization, moved boldly forward through Tennessee and Kentucky. By doing this he so flanked and endangered the rear of General Buell, in command of the leading army of the enemy in the west as to compel him to rapid retreat for refuge and re-enforcements on the Ohio at Louisville or elsewhere. Had General Buell, as might naturally have been expected from his numbers, been more bold to encounter his enemy or less rapid in his flight, General Bragg would probably have accomplished, after sweeping all foes from before him in Middle Kentucky, the great object of overthrowing Buell's army and capturing Louisville. Unfortunately, Buell effected his evasion of battle and escaped safely to that city which, under the occupancy of his army, became too strong for assault. Sheltered in Louisville, Buell was enabled to receive and organize the very large re-enforcements which the draft of the Federal Government and the dread of invasion in the populous States of the Northwest caused to be forwarded with extraordinary dispatch. His forces, before superior, became vastly larger than all our commands in Kentucky, and he began by various movements to threaten our connections and communications with the more southern States.

About the same time the diversions which were expected to be made by our forces still remaining on the southern borders of West

Tennessee, toward Memphis and Nashville, failed of anticipated success. One division sustained a check at Iuka and was obliged to fall back, and some time later the whole command, in a most daring and determined attack on the intrenched positions of the enemy at Corinth, were defeated with serious loss and driven to a rapid retreat. Before these events had fully occurred General Bragg had concluded that prudence required the present withdrawal of our armies from Kentucky and the removal into security of the large and, under our circumstances, most valuable supplies of every kind which had been collected during the occupancy of that abundant and unexhausted country. His arrangements were being made with due care and deliberation for these ends, and portions of his forces, preceded by immense trains were already moving southward, when General Buell, under the encouragement of his great numbers, at last ventured attack on one of his divisions. The result was, when comparative forces are considered, the brilliant victory to us of Perryville. Its results were seen in the subsequent prudent avoidance of all interruption or disturbance by the enemy to the quietly retréating columns of our armies, with their gathered stores, who resumed commanding positions of their selection in the State of Tennessee. Thus in Kentucky, as in Virginia, our armies, not conquered or repelled, but diminished by their own successes, were, from mere paucity of numbers, constrained to retire to avoid environment by overwhelming forces, but under the protecting prestige of victory were prudently respected and unassailed by their enemies.

Of the various operations of our forces in more limited theaters it is impracticable, within reasonable limits, to give a succinct account. It is sufficient to say generally that from the reorganization of our Army and the turn in the tide of fortune, that successes have been numerous and reverses very few, and that with scarce an exception, in small actions, as in great engagements, the superior skill of our officers and valor of our soldiers have been signally vindicated. More special allusion, however, is due to the memorable repulses of the enemy with their formidable gun-boats at Drewry's Bluff, near Richmond, and at Vicksburg. At each were illustrated not more signally the fortitude and valor of the armed defenders than the heroic resolve and self-devotion of the citizens who preferred for their fair cities destruction to subjugation. The examples were pregnant with monition and encouragement. The gun-boats lost their prestige of terror. Cities ceased to be abandoned or surrendered on the approach of a foe, and all were taught how free men, above fear and ready for all sacrifice, may proudly defy the most potent agencies of modern warfare. The foregoing detail has been indulged in from a double purpose:

First. To render a tribute of justice to our armies, whose grand achievements being then in process of accomplishment, my predecessor, from considerations of prudence, abstained in his last report from commemorating; and secondly, and more especially, to demonstrate the imperious necessity that demanded the first enactment of conscription and the glorious effects that at once vindicated the wisdom of its adoption and repaid the sacrifices of our soldiers and people in accepting it. It is hardly too much to say that it wrought our salvation from destruction or infamous thraldom. Could it, indeed, have been somewhat sooner adopted or more speedily and thoroughly executed, it may well be doubted whether the first act alone might not have sufficed to have

extorted from our obdurate foes, in their own Capital or on their own conquered soil, permanent peace and independence. At the culminating point of our late successful advances could 50,000 more troops of the Confederacy have been added to the victorious armies of Generals Lee and Bragg the full fruition of our highest hopes would almost have been assured. In no spirit of vain regret is this reflection indulged, but because of its deep practical monition for the future. In lieu of such happy consummation our triumphal progress was arrested and our victorious armies compelled to retire before the hosts summoned to the field by the large draft of the Federal Government. The same necessity is therefore again pressing on our people with scarce less stringent urgency. In wise prevision of it the second act of conscription, heretofore referred to, was judiciously provided by Congress at its last session, giving to Your Excellency the power to call into the Provisional Army all subject to military duty between the ages of thirty-five and forty-five, or such part thereof as in your judgment was necessary to the public defense. Under this act you have called into service, for the present, only those between the ages of thirty-five and forty who are subject to military service and not exempted by an act passed soon after, known as the exemption act, exempting certain classes of persons and such others as the President shall be satisfied, on account of justice, equity, or necessity ought to be exempted. This call, as well as the first act of conscription, are now being actively executed by the Department. A sub-bureau, attached to the Adjutant-General's Department, has been organized, charged with this subject exclusively. In every State one or more camps of instruction for the reception and training of conscripts has been, or is being, established in judiciously selected locations. To each State an officer, styled a commandant of conscripts, is appointed, charged with the supervision of the enrollment and instruction of conscripts, and he recommends a surgeon, a quartermaster, a commissary, and the drill-masters requisite.

Pursuant to another act of Congress, approved October 11, 1862, in each city, county, parish, or district in the several States a place of rendezvous for persons enrolled is established, where they are examined by surgeons, and in each Congressional district a board of three surgeons is appointed to make the examinations aforesaid. It has not been found practicable to spare from the service of the armies and hospitals a sufficient number of Confederate surgeons to constitute these, but at least one in each district will be associated with local surgeons of repute for the duty, and the effort will be made to prevent, by exchanges with other districts, surgeons of any particular county from officiating on the conscripts therefrom. In at least each county or city an enrolling officer is expected to act, and he is instructed to enroll all not of the exempted classes between the specified ages of eighteen and forty, so that those who have evaded or been neglected in former enrollments and the number, startlingly large, of soldiers who, on one pretense or another, are avoiding service, as well as those embraced by your late call, may be subjected to duty. In the enforcement of the law of conscription the Department is constrained to be inflexible, and even appear harsh. The sacrifices exacted for service are painfully realized, but they are felt to be imperatively demanded for public safety. The exemptions, though far more liberal in the last than the former acts, still affect comparatively few, and those of certain limited classes, while the exempting power vested in your discretion seems to contemplate only individual

cases of persons who ought to be exempted on account of "justice, equity, or necessity." In considering the character of the classes exempted it is evident that Congress contemplated the enumeration of all of the prescribed ages whose offices or functions seemed more essential to the public weal at home than in the service. The principle of the bill is, therefore, that the whole necessary operations of society and business can and must be done by the exempts and those above and below the prescribed ages, while all other white males capable of bearing arms shall be in the armies of the Confederacy for the sacred duty of public defense. This principle the Department rigidly applies, with but few inconsiderable exceptions of the clearest equity or necessity. An impression has strangely prevailed that the exemptions prescribed by the act availed as well to discharge from the Army as to exonerate from the call of conscription. For this no foundation can be found in the law, while the earnest aim, clearly expressed in the first act, to retain the Army as absolutely essential, as well as the general phraseology of the law, excludes such construction.

The whole scope and operation of the second act apply exclusively to those to be subjected to the expected call of the President, and the act of exemption, passed to limit and define it, can, of course, have no wider stretch. The very term of exemption implies freedom from a call to be made, not discharge from existing service. It is well, too, in every view, that such is the only reasonable construction of the acts, for a more mischievous mode could hardly have been devised to weaken and dissatisfy the Army than to have made the grounds of exemption causes of discharge. Apart from the inevitable loss in numbers to the Army, it could not be expected that the soldiers not embraced, seeing comrades equally capable of service discharged on such grounds as, for instance, that they had plantations with twenty slaves without other male adult on them, or because of their addiction to special mechanical, mining, or manufacturing pursuits, would not feel the gravest discontent and indignation. Demoralization, if not more disastrous effects, must inevitably have ensued. There are certain classes of officers and employés not exactly engaged in State or Confederate service, yet so important in their public ministry, such as the officers and police of cities, firemen, superintendents of water or gas works, and the like, and others again essential to corporations, private in interest, but highly important to the transaction of general business or to works of public benevolence, such as the officers and clerks of express companies, of leading banks, evangelical societies, and similar institutions, to whom it might be advisable to extend the privilege of exemption. The classes of tradesmen or mechanics exempted in deference to the peculiar needs of society might also be enlarged. There are, too, in the Confederacy districts of not very fertile country where the citizens are generally in moderate circumstances and have few or no slaves. The draft on them of all the males between eighteen and forty will probably remove their laboring classes to such an extent as to endanger scarcity and even destitution among the remainder. Some relaxation of the law graduating the number to be conscribed in proportion to the deficiency of slave labor in every county or district would be both equitable and judicious. One of the exemptions of the act, that which "to secure the proper police of the county" exempts "one person on each plantation of twenty negroes on which there is no white male adult not liable to military duty," has caused

in many portions of the Confederacy dissatisfaction and complaint. This has been in many instances from mere invidiousness in regarding the slaves merely as property and not as a servile class to be controlled from considerations of general safety. In others, where the slaves are regarded only as helpless dependents to be cared for and cherished, the claim has been asserted that similar privilege of exemption should at least be accorded to those who had many helpless children or females dependent solely on their care or labor. The latter view would alone seem entitled to consideration. It would probably relieve the law from much odium and yet only promote equity and the public good if when, as in cases not unfrequently presented, eight or ten helpless whites are dependent on one male friend within the prescribed ages exemption should be accorded by law.

It will be observed you have not yet exhausted your power of call. The faithful execution of that mode, it is confidently hoped, will dispense with the need of further draft on those who, from their age, are apt to be by their larger ties and interests most essential to society. Our armies may thus be adequately recruited and maintained at the maximum required by their organizations. More need scarce be desired.

The organization of the Army has been advanced by the appointment under the act of Congress of five lieutenant-generals. They were all major-generals and selected for approved skill, conduct, and experience. They are all now in active service, some commanding separate departments and others leading army corps under a general in the field. Major and brigadier generals in requisite numbers to meet the exigencies of the service have been appointed and assigned. The policy of organizing the brigades with troops and generals from the several States has been pursued, and as opportunities offer, without detriment to the service, will be carried out. The greater satisfaction of the men from each State when collected together, the generous emulation for glory to their State and the fair apportionment of officers assured to each State according to its contribution of defenders to the country will, it is hoped, overbalance the inconvenience of separating regiments and companies previously associated and the liability to State jealousies. The policy will be persisted in to a full trial of its merits.

The military courts authorized at the last session of Congress have been constituted. In making the appointments, while qualifications were first considered, preference among the applicants was, as far as the range of choice allowed, given to those who had been wounded or disabled in service. These tribunals supply a need much felt by our commanders in the field. The necessity of frequent courts-martial caused much embarrassment and many delays. Without them now the prompt administration of the military law may be secured, desertion and straggling checked, license of all kinds restrained, and temperance, discipline, and subordination advanced. The various branches of special service heretofore established have proved judicious and worked generally well. The battalion of sharpshooters attached to each brigade has done much to restore our superiority as marksmen, which had begun to be endangered by the guns of long range and constant practice therewith of our less skillful adversaries. On many occasions the efficiency as well as the valor of these battalions has been strikingly exhibited, and they are now felt as almost a necessity to a proper organization. The appointments of artillery officers for ordnance service and of engineers have as yet been made only in

part. Boards, however, have been constituted for the examination of candidates and are required to hold their sessions in different parts of the Confederacy, so as to afford similar facilities of access to those at a distance from the Capital. Some sessions have been held and reports have been made assigning the order of merit in which the successful candidates have passed. It is the purpose of the Department when these lists have been completed to make the appointments from them, and as justice and implied faith seem to demand, to give priorities in commission according to the reported grades of qualification. The engineer officers already appointed and acting have proved most efficient aids, as well in field operations as in local works and defenses. They have had, however, no special corps of men, but only such as when occasion required were detailed for the special service. It may be well doubted whether a company or two in each brigade should not be specially devoted to engineering work and be exclusively commanded by engineer officers. Greater skill and efficiency could not fail to be attained by the men so employed, while the inconveniences which often arise from the delays in special details and the occasional controversies arising between the officers in command of the detailed men and the engineer officers guiding their opertions would be avoided. In connection with such a corps a company of pioneers and pontoniers, armed only with revolvers and sabers, but carrying some effective tool, as an ax, a pick, or a spade, might be advantageously constituted under the command of an engineer officer. One detachment of them might precede each brigade in its march, smoothing the roads and bridging the small streams, while another should accompany the trains prepared to remove impediments or give prompt assistance in case of accidents. The celerity of army movements, on which often great results depend, would be sensibly increased by such an arrangement.

The officers for ordnance service, as far as appointments have been made, have rendered the distribution of munitions and the supply of arms and artillery more regular and complete, and have at the same time promoted economy in consumption, care in preservation, and greater efficiency in their use.

The Signal Corps has been filled and organized and is now in effective operation. It justifies the expectations entertained of its utility and contributes materially to the dispatch of orders, the transmission of intelligence, and the general safety of the Army. The policy of organizing corps of partisan rangers has not been approved by experience. The permanency of their engagements and their consequent inability to disband and reassemble at call precludes their usefulness as mere guerrillas, while the comparative independence of their military relations and the peculiar rewards allowed them for captures induce much license and many irregularities. They have not unfrequently excited more odium and done more damage with friends than enemies. The men composing them would be more useful in the regular organizations, and while the Department has been reluctant to disband them it avoids raising more and endeavors to persuade and promote the conversion of existing corps into similar bodies in the line of the Provisional Army. The principle now applicable to nearly all the regimental and company organizations, of promotion by seniority and of election in the lowest grade only, is believed to have given more satisfaction than did that of general election. A feeling of greater security and more professional pride is engendered and

stronger inducements are presented to all subordinate officers to improve and prepare themselves for higher positions. Still, in an army where a large proportion of the officers have had no previous military training or experience, due assurance cannot be felt of the competency of those on whom promotion may by this rule be cast. A provision against gross incompetency is indeed made by the authority conferred by act of Congress for the convening of a board to determine qualifications, but resort to this remedy is naturally odious and in practice it proves but little efficacious. It is not to be denied that promotion by seniority alone represses ambitious aspirations and the spirit of enterprise and daring which promotion by merit inspires. Some recognition of this and desire to avoid its effects have been manifested by the enactment of Congress allowing promotions to be made by the President in cases of distinguished skill or valor, but save in the rare case where recommendation of extraordinary merit is given by the commanding general such appointments can only be made to a vacancy in the company, battalion, or regiment to which the party is attached. Besides, where promotion by seniority is the almost universal rule, the exercise of this appointing power becomes odious, is construed into injustice to all the inferior officers of the special organization, and breeds discontent and dissension. In consequence it is very rarely exercised, and the injurious effects of promotion by seniority alone are not by this provision effectively counteracted. It is suggested that some beneficial effect in inspiriting to deeds of valor and the display of extraordinary merit would result from confining election to the lowest grade (the starting point on the road to honors) to those, if any in the company, who had been recommended by their commanders for distinguished skill and valor. This would not deprive the company of the privilege of election, but would confine the choice among the most worthy. Still, the higher and more important grades would be supplied only by seniority, and with deference it is recommended that some mode be devised by the wisdom of Congress to have vacancies of that class more frequently the rewards of high deeds and superior qualifications. This is the more necessary, since the commissions of officers in the Provisional Army being dependent on the continuance of their organizations, some of the most valuable in the service have been thrown out by the dissolution or disbanding of their companies or regiments when, often through their own gallantry, too much reduced for service. Under the present system, however meritorious or efficient, there is no place for them in the line, and they can only be replaced in the Army by conscription as privates. This is scarce less just than impolitic. Some provision should be adopted by which such officers should retain their commissions, or the privilege of appointment to vacancies which they are eminently fitted to fill should be accorded them. The hardships to the officers in such cases, together with reluctance to lose their services, have sometimes induced generals in command, particularly in the most distant departments, to assign such officers temporarily to vacancies for which the officers entitled by seniority were known to be less competent, or to special duties. An embarrassment results. The officers in some cases after a long service find that they have lost their commissions by the previous disbanding of their commands and can neither be recognized nor receive their pay as officers. Some appropriation to meet such cases and provide compensation at least for the period of their actual service should be provided.

In this connection another interesting class of cases deserves passing notice. It has repeatedly happened that officers who have raised

companies or regiments, or who have been passed over by a State with their commands to the Confederate service after joining some of our armies, but before their muster-rolls have been duly returned or notice properly given to the Adjutant-General, have been captured or had their commands broken up and dispersed by the enemy. Some in such cases have pined long in prison, others have served in assigned commands for months, and when either exchanged or led to apply for recognition and pay as officers have found no authority in the Department to allow either. Several cases like these of peculiar hardship occurred among the officers of the Louisiana State troops transferred to the Confederate service, who were either captured or dispersed after the fall of New Orleans. It is recommended that wherever their imprisonment or service as officers can be satisfactorily established payment to them be authorized by law.

Measures to afford adequate supplies of ordnance, arms, and munitions for the Army have claimed the earnest attention of the Department. The increased stringency of the blockade by the enemy, while it has made the importation of sufficient supplies more difficult and costly, has at the same time induced more energetic efforts to find and develop all internal resources. The results so far are very encouraging. Our present supplies are at least as abundant as they have been at any time past, and our prospects for the future more promising. Two establishments, in addition to the leading one heretofore existing at this city, for making ordnance have been founded in interior towns under the auspices of the Department, one of which is already in successful operation and the other will be in a very short time. Besides these some smaller establishments have been fostered and engaged in similar work. Thus the serious anxiety which resulted from dependence on a single establishment liable to be interrupted by casualties or the chances of war has been removed and a larger provision secured for future supplies. Of small-arms the Department can now furnish stores more adequate to the requirements of the Army than at any preceding date, while of munitions it entertains no dread of deficiency. In these particulars, also, by the encouragement and establishment of manufactures within the Confederacy, the Department is daily becoming less dependent on foreign supply, and it indulges the hope that it will at no remote period be able to dispense altogether with that reliance. In this connection it would be injustice not to refer to the efficient aid which has been rendered by the Niter Bureau, which is charged with much more general operations than its name would indicate. The most serious embarrassment to be apprehended in reference to the ordnance supplies is in the deficiency of iron. Before the war nearly all iron-works within the States of the Confederacy had languished or decayed, and from the sense of precariousness in the future and the scarcity of suitable labor it has been very difficult to establish them in sufficient numbers and on an adequate scale to meet the necessities of the war. It has been necessary that the Department should stimulate enterprise by large advances and liberal contracts, and likewise contribute by details to the supply of labor. Many new furnaces have been established, and those in operation have been enlarged and tempted to continue more uninterruptedly in blast. If the contracts made with the Department are only fully carried out, it is believed the supply will prove adequate, but there are many difficulties in the prosecution of the work from the enhancement of all prices and from the temptations constantly offered to contractors to prefer the superior profits which they can command

by supplying the general market. In some instances the Department has had no alternative but to resort to impressment to enforce the fulfillment of its contracts or to supply its pressing necessities. Embarrassments of the like nature have affected the operations of the Quartermaster's and Subsistence Departments. For some of the leading articles required by the former reliance has necessarily been placed to a considerable extent on foreign supplies, since they are not adequately furnished within the Confederate States. This has specially been the case with woolens and leather, and under the losses and interruptions caused by the blockade there have been at times rather scant supplies of blankets, shoes, and some other articles of clothing. Still, by using to the utmost internal resources, by the establishment of factories and the organization of workshops, and by greater economy in use the Army has never been allowed seriously to suffer. Of late great success has attended importations, and besides contracts for supplies have been made on liberal terms to so large an extent that security is now felt of timely and abundant provision. To attain a result so indispensable to the comfort and preservation of our gallant armies, the Department will spare no exertion or sacrifice.

For due supplies of forage and subsistence reliance has been placed on the productions and resources of the Confederacy alone, and so far they have proved abundant. They are, however, more affected by the peculiar circumstances of the country. The harvests of the past season have not generally proved propitious, and notwithstanding the much larger breadth of land devoted to the culture of cereals and forage the product in many extensive districts of the Confederacy is below the average, and in some threatens scarcity. The cost and want of transportation make difficult the collection, distribution, and equalization of such products. In addition, the ravages of war, prosecuted by our malignant enemies in shameful violation of all civilized usage for the ends of rapine or destruction, have desolated considerable districts of fertile country. The districts thus devastated have been, too, mainly those which have heretofore afforded the largest supplies of meat. The rearing of animals for food has been since the war very generally increased throughout the Confederacy, and from other districts larger supplies than heretofore may be expected. Still, the scarcity of grain and forage must check considerably this increased production and render adequate supplies for the future more doubtful. A yet greater cause renders the procurement of the supplies that exist difficult. The redundant issue of Treasury notes, which the needs of the Treasury have made inevitable by inflating the currency far beyond the wants of the country for a circulating medium, has caused a great enhancement of all prices and inspired a general and inordinate spirit of speculation. As the cause of enhancement has been and must be continuous, being the necessary issue of Treasury notes, so the increase in prices has been, and without check from legislation must be, steadily progressive. This is so understood or has been so experienced by all classes that there is on the part of all having the necessary supplies to sell the strongest repugnance to part with them, even at the exaggerated current rates, from the conviction that a longer holding will assure still higher prices. The motive is so influential and general that it is next to impossible to supply the necessities of the Government at fair prices or by voluntary contracts. Resort to the power of impressment has become an absolute necessity for the support of our armies. It is a power of great delicacy, liable to perversion and abuse, and

should be surrounded by every safeguard of equity consistent with its exercise. The sanction and regulation of the power by law is earnestly commended to the early consideration of Congress. By controlling the transportation on the railroads on some judicious general system and the due regulation and exercise of the power of impressment, the evils referred to may in a measure be remedied and the supplies absolutely essential may be commanded. But it is not to be disguised that a more complete remedy is desirable and that it only can be found in the regulation of the currency, the cessation of inflation, and the consequent reduction of prices to a more stable standing. This more appropriately pertains to the province of the Treasury Department, by the able head of which it will doubtless be fully presented. As, however, the War Department is the great consumer and most prejudiced by this evil, it may be pardonable to say that there is but one radical remedy. That is easy and simple. It is by legislation to limit the negotiability of the Treasury notes, so that there never shall be outstanding at any one time more than the maximum required for the circulation of the Confederacy. The estimates of the several bureaus of this Department for the period ending June 30, 1863, are herewith submitted.* They will be found to be large, but not larger, it is believed, than the exigencies of the service require.

An interesting report from the Commissioner of Indian Affairs is herewith submitted.† During the last summer there were among the tribes in the Indian country some agitations and disturbances which threatened internal conflicts and a possible outbreak upon the contiguous States. They have, however, been happily appeased, and there is every reason now to expect tranquillity among themselves and their amity and alliance with the Confederate States.

From the preceding imperfect review may be found assurance of the increasing power, means, and resources of the Confederacy for the successful prosecution of the war. We have room, too, for gratulation at the firmness, unity, and self-devotion of our people and the skill and valor of our generals and soldiers, and much cause of devout gratitude to the God of battles for the signal triumphs vouchsafed over the hosts of our malignant foes. Nor can I conclude without commemorating another glorious victory that has just crowned the triumphs of the year and given added cause of thankfulness and rejoicing. General Lee and his noble command have, at Fredericksburg, hurled back in dismay, with frightful slaughter, the grand army of invasion, engaged for the fourth time in the vain task of conquering our Capital. They had sacked and desolated the town—one of the most reputable of the State—with rapacity and brutality that would have disgraced savages, and it was made the appropriate scene of their retribution, for its streets were piled with their dead and wounded. From the face of the avengers they slunk away amid storm and darkness, leaving to our gallant army the assurance of acknowledged superiority and affording to all a bright augury of their future total expulsion from our soil. Such happy result will likewise be advanced by the renewed gallant repulse of the enemy's combined attack by land and water on Vicksburg and by the decided victory of General Bragg and his brave command, which, on the 31st ultimo, crowned the triumphs of the year. Scarcely less hopeful assurance is afforded by the indecisive and bloody struggle of the 2d instant, which, while resulting in the temporary retirement of General Bragg's

* Details omitted in view of summary, next *post*.

† See January 12, p. 352.

forces to a better line of defense, inflicted such grievous losses on the enemy as to leave his army too shattered and dismayed to follow.

Respectfully submitted.

JAMES A. SEDDON,
Secretary of War.

Estimates for the War Department from the 1st day of February, 1863, to the 30th day of June, 1863.

For pay, transportation, and other allowances of the Quartermaster's Department, as per estimate of Quartermaster-General		$171,707,927.00
For subsistence of the Army, as per estimate of Commissary-General		48,656,500.00
For expenses of engineer service, as per estimate of Chief of Engineer Bureau		3,000,000.00
For Ordnance Bureau, as per estimate of Chief of Ordnance		15,900,000.00
For Medical Department, as per estimates of Surgeon-General:		
No. 16	$2,650,000.00	
No. 17	890,000.00	
		3,540,000.00
For civil expenditures of the War Department, as per estimate of the disbursing clerk		172,638.23
Total		242,977,065.23

GENERAL ORDERS, No. 1. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, January 3, 1863.*

I. The following orders are published for the information of the Army:

All white male citizens of the Confederate States between the ages of eighteen and forty who are not exempt by the act of October 11, 1862, are liable to conscription; and all such as have been already enrolled and mustered will be held as though in service of the Confederate States, until otherwise ordered. Exemption will not take place until after enrollment, when enrolling officers will grant certificates of exemption in all cases clearly within the meaning of the act. All doubtful cases for exemption will be referred for decision to commandants of camps of instruction, and, if necessary, by them to the chief of the Bureau of Conscription in Richmond. Such cases will not be required to report in person to the camp of instruction until final action is had on the same.

II. Enrolling officers are required to be vigilant in the discharge of their duties within the district confided to them, not only in respect to the enrollment of conscripts, but also in the apprehension and arrest of stragglers and deserters from the Army. Complaints having been made of harsh treatment to conscripts by enrolling officers in certain localities, which treatment is calculated to prejudice the cause of the Confederate States, by encouraging opposition to the acts of conscription, it will be the duty of commandants of camps of instruction to report to the Secretary of War, for discharge from conscript service, any officer who shall offend in this particular. It is required of all enrolling officers to encourage and promote a good understanding with the people of the district in which they may be serving; and it is impressed on them that firmness of purpose, tempered with kindness and forbearance, will best promote the objects to be attained.

III. Enrolling officers will furnish to commandants of camps of instruction, at the end of each month, a complete roll of the conscripts made by them during the month. Such rolls will also embrace the names of persons who have been enrolled and exempted within that period. One copy of these rolls will be immediately forwarded by the commandants of the camps of instruction to the chief of the Bureau of Conscription in Richmond for file and future reference.

IV. All commissioned officers between the ages of eighteen and forty who have become disconnected with the Army by the operation of General Orders, Nos. 48 and 96, of 1862, or by reason of the non-re-election, resignation, or dismissal, unless actually disabled (of which they must furnish evidence), are subject to conscription; and while substitutes between the above ages, and who are not embraced in the provisions of the exemption law, will be held in service to the end of the terms for which they have engaged, the principals within the same ages, for whom the substitutes may have engaged to serve, will be liable to conscription.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 2. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, January 3, 1863.*

I. The following orders are published for the information and guidance of all concerned:

Recognizing the necessity of officers of railroads having full control of their business, in order to insure safety and dispatch in transportation, military officers are prohibited from interfering with the engines, cars, running of trains, or with the control and management, in any way, of railroads.

II. When transportation of troops or freight by railroad is necessary, a quartermaster or other authorized officer shall make requisition for the same upon the superintendent or proper officer of the railroad, furnishing the necessary evidence of transportation and delivering the troops or freight to be transported.

III. In the event that more freight is to be transported over any road than the road has the ability to carry promptly, the officer furnishing evidence of transportation will indicate to the railroad officer what shall take precedence. In the absence of any special order as to what freight shall go first, the railroad officer shall be governed by any general order the Quartermaster-General may issue in regard thereto.

IV. Where troops or freight is to be moved out of the usual routine of a railroad, the officer having charge of such movement will fix with the superintendent, or other officer of the road on which the movement is to be made, the day and hour of departure, and when so fixed the troops or freight must be ready at the appointed time.

V. In the event of any military necessity for an unusual movement at any particular point, the commanding officer at such post will communicate fully the character and extent of service to the principal officer of the road or roads from which it is required, and ask the personal supervision of the proper railroad officers to the duty.

VI. Quartermasters and commissaries will exercise discretion in shipping freight not wanted for immediate use, and that may be

stored at safe and convenient points, taking care not to block up roads and thereby impede transportation.

VII. When it is necessary to send a special messenger with freight, such messenger must travel with the freight placed in his charge, and his transportation shall be so specified on its face, in order to prevent him from traveling in any other way.

VIII. Enrolling officers will permit conscripts enrolled while in the employment of railroads to remain at their duties until Col. William M. Wadley, assistant adjutant-general, decides as to who of them it is necessary should be detailed for service on the road.

IX. Any violation of these orders, or remissness on the part of railroad officers to perform promptly all Government transportation, will be reported to Col. William M. Wadley, assistant adjutant-general, who will indicate from time to time where his headquarters will be.

By order:

S. COOPER,
Adjutant and Inspector General.

Act of the Legislature of Mississippi.

AN ACT to authorize the impressment of slaves and other personal property for military purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That to provide for the public safety by aiding the military forces of this State and of the Confederate States engaged in defending the same to repel invasion and repress insurrection, the Governor of this State be, and he is hereby, invested with full power to impress able-bodied male slaves between the ages of eighteen and fifty years, or so many thereof as he may deem necessary, or as may be required by the military necessities or exigencies of the State, or as may be called for or required by the military commander of the State or Confederate forces therein, with the use of tools and implements, wagons, teams, and harness which may be necessary to render the labor of the slaves impressed effective; also subsistence for the same.

* * * * * * *

SEC. 2. *Be it further enacted*, That the owners of all slaves impressed into the military service under the foregoing section shall be entitled to the same pay, rations, clothing, or commutation therefor for each of them as privates in the military service of this State, the said pay to be made monthly in advance by warrant of the State treasury upon the requisition of the Governor to the auditor, founded upon the return by the party making the impressment; but if the owner or owners of such slaves as impressed shall refuse to receive such compensation, then the party making the impressment shall act as arbitrator in behalf of the State, and the owner shall select a disinterested party to act as arbitrator in his behalf, and they to select an umpire in case of disagreement, who shall proceed to assess the monthly value of the service of the slave or slaves so impressed, and the award shall be final.

* * * * * * *

SEC. 11. *Be it further enacted*, That the Governor shall prescribe rules and regulations which shall be observed by all military commanders and other persons having charge of slaves hereby

impressed, for the employment of suitable overseers or managers for the same, and also for the necessary care, protection, health, medical treatment, and return of said slaves.

SEC. 12. *Be it further enacted*, That if any slave impressed under this act shall die or become permanently disabled by reason of neglect or want of proper attention or care on the part of any of the agents or officers of the government of the State or the Confederate States, or shall be killed, disabled, or taken by the enemy, the owner of such slave shall be entitled to be paid all damages sustained thereby out of the State treasury, and it shall be the duty of the Governor, on application of the owner, agent, overseer, manager, or person having possession of such slave, to appoint one suitable person as arbitrator on behalf of the State, and such owner, agent, overseer, manager, or other person shall appoint an arbitrator on the part of such owner, who shall proceed under oath to ascertain the value of such slave or other damage sustained by such owner, with power to appoint an umpire in case of disagreement, and the award of the majority of them, made in writing, shall be filed in the auditor's office, and the auditor shall issue his warrant for the amount of such award whenever the Legislature shall have made an appropriation for that purpose.

SEC. 13. *Be it further enacted*, That this act take effect and be in force from and after its passage, and continue in force for and during the continuance of the present war.

Approved January 3, 1863.

UNIVERSITY OF VIRGINIA,
January 3, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: We are advised by the notice of the enrolling officer of the Seventh Congressional District that the enrollment for military service of all persons between the ages of eighteen and forty will be enforced for the county of Albemarle between the 8th and 13th of the present month. We are also advised that students over eighteen years of age are subjects of conscription.

The faculty of the university, impressed with the conviction that the withdrawal of students from the institution as conscripts would seriously affect its interests, and perhaps jeopardize its existence, without adding appreciably to the military strength of the Confederacy, have requested me to address you on the subject and ask your favorable interposition in such manner as may appear to you expedient and consistent with your sense of duty.

I am too sensible of the value of your time to the public service to trouble you with a recital of the considerations which, in the opinion of the Board of Visitors as well as the faculty, render it of the last importance to the future prospects of the institution that its operations should be continued without interruption during the war. Among these considerations I may merely cite the danger of the permanent loss of the annuity if operations are once suspended. The authorities are committed with, I believe, entire unanimity to the policy of continuance, notwithstanding the discouraging fact that the number of students has been reduced from upward of 600 in 1861 to less than 40 in 1863. The conscription falling upon the small

number now attending the lectures will almost certainly inflict a blow which will prostrate the institution and close its doors during the war. I have to-day examined the matriculation book, and find the whole number of students now subject to conscription, excluding three Marylanders, amounts to eighteen. Some of these have come of military age since they entered the university in October, and a majority have been in military service at some time during the war, but have been discharged for various causes. If the conscription is enforced in regard to students, I do not think that more than ten conscripts, if so many, can be added to the Army from the university, but the process of enrollment and subsequent proceedings will so interrupt the routine of duties at the university as to render the remainder of the session of little profit to those who may not be withdrawn, if it should not lead to an absolute suspension of the operations of the institution. I trust, therefore, you may deem it expedient, under the discretionary power vested in the President by the act of the 16th April, 1862, to exempt "such other persons as he shall be satisfied, on account of justice, equity, or necessity, ought to be exempted," which power, it is presumed, is practically exercised through the Secretary of War, to instruct the enrolling officer, Col. Alex. Taliaferro, for the Seventh Congressional District, not to include the students of the university in the enrollment for his district; or, if the enrollment is indispensable, perhaps you might deem it expedient to grant all the students taken as conscripts furloughs until the close of the present session—4th of July—when they might be required to report for duty. May I ask you the favor to make known to me at an early day any measure of relief you may be pleased to grant, that the uneasiness and uncertainty in prospect of the conscription may be removed.

With the highest respect,

S. MAUPIN,
Chairman of the Faculty.

STATE OF SOUTH CAROLINA, EXECUTIVE OFFICE,
Columbia, January 5, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I had the honor of transmitting to you on the 30th of December a copy of an act passed by the Legislature of this State at its recent session, entitled "An act to organize and supply negro labor for coast defense, in compliance with requisitions of the Confederate Government," and of requesting an expression of assent or dissent to the provisions of the said act on the part of the Government. Referring to the third section of the said act, I beg leave to renew the request made in my last communication on this subject, and am,

With great respect, your obedient servant,

M. L. BONHAM.

EXECUTIVE OFFICE,
Raleigh, N. C., January 6, 1863.

Hon. J. A. SEDDON,
Secretary of War:

SIR: Some time since when in Richmond I had the honor to mention to the President the subject of enforcing the conscription in counties wholly or in part under the control of the enemy. In view of the difficulty of the case, I asked his consent to raise by volunteering

all the troops I could in such of our eastern counties. To this he consented, and under my authorities some four or five companies have been raised and the volunteering is still going on. The enrolling officers have, however, applied to me for instructions, thinking it their duty under orders to conscript all they find of the proper age and to prevent any more from volunteering. Having only a verbal understanding with His Excellency, I thought it best to lay the matter before you and have the written consent of the Department, so as to avoid any appearance of conflict and relieve the enrolling officers. The policy is so obvious that I need not dwell upon it. A large proportion can and have been obtained where it would be impossible to enforce the law. When it can be vigorously executed, of course, it is best that it should be done. Allow me to hope that it may not be inconvenient for you to give me an early reply.

Most respectfully, your obedient servant,

Z. B. VANCE.

ORDNANCE BUREAU,
Richmond, January 7, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: In reply to the accompanying resolution* of the House of Representatives of the Confederate States, transmitted to me by you, I have the honor to state that I have fixed the 1st day of September as the period to which my report is made. From some of the more remote arsenals and depots statements of fabrications and issues have not yet come in. The report is not, therefore, as full as could be desired.

Small arms (rifles, muskets, carbines, and pistols):	
Fabricated	14,349
Issued	294,753
Remaining on hand	9,876
Infantry accouterments (sets):	
Fabricated	248,006
Issued	408,756
Remaining on hand	25,457
Infantry equipments:	
Fabricated	137,913
Issued	252,415
Remaining on hand	18,579
Public armories:	
Rifles, muskets, and carbines manufactured per month	2,050
Private armories:	
Rifles, muskets, carbines, and pistols manufactured per month	1,550
Sabers manufactured per month	3,500
Average cost of—	
Rifle or musket	$21.50
Carbine	42.50
Saber	18.00

Other private armories are under contract, and it is expected that the supply will be increased from them 500 firearms per month during the present year.

The capacity of the public armories will also be increased and the new and large armory at Macon, Ga., it is hoped, will be in operation before the close of the year.

Very respectfully, your obedient servant,

J. GORGAS,
Colonel and Chief of Ordnance.

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*See Dixon to Davis, September 10, 1862, p. 80.

EXECUTIVE OFFICE,
Jackson, Miss., January 7, 1863.

Honorable SECRETARY OF WAR CONFEDERATE STATES,
Richmond, Va.:

SIR: I am directed by His Excellency John J. Pettus, Governor of Mississippi, to say to you that in October last all Mississippi State troops in active service, militia and volunteers, were placed under the orders of the Confederate authorities of this department, with the understanding that during the time they should so remain they were to be treated in all respects like Confederate troops. In pursuance of this understanding Lieutenant-General Pemberton issued his General Orders, No. 7, an extract of which you will find inclosed. Since that time another question has come up not heretofore provided for. It is this: Cavalrymen of the State troops have their horses killed in battle, and thereby lose their saddles, bridles, &c., and guns, and call upon the Confederate authorities for payment therefor, which is refused upon the ground that they are State troops. This decision, His Excellency thinks, is not right, and refers the matter for your adjudication. The property being lost in the Confederate service, the Confederate Government should pay for the same. Your earliest attention is called to the above.

Very respectfully,

JAMES H. RIVES,
Private Secretary.

[First indorsement.]

JANUARY 19, 1863.

QUARTERMASTER-GENERAL:

Have allowances been made in such cases?

J. A. S.,
Secretary of War.

[Second indorsement.]

QUARTERMASTER-GENERAL'S OFFICE,
January 21, 1863.

SECRETARY OF WAR:

The seventh section of the act (No. 48) approved March 1, 1861, provides in the last clause that volunteers shall be allowed compensation for horses killed in action. In the previous part of the section reference is made to "militia or volunteers," &c., but the last clause just quoted excludes all mention of the former. The construction would seem to be that no provision is made to compensate mounted militiamen for horses killed in action.

Respectfully,

A. C. MYERS,
Quartermaster-General.

[Third indorsement.]

JANUARY 24, 1863.

QUARTERMASTER-GENERAL:

Consider the case with reference to the act of Congress of March 3, 1849, on this subject.

By order of Secretary of War:

J. A. CAMPBELL,
Assistant Secretary of War.

[Fourth indorsement.]

QUARTERMASTER-GENERAL'S OFFICE,
January 30, 1863.

I think the case is clearly within the provisions of the act of 1849. The payments would under that act be made after adjustment by the Second Auditor, and not the Quartermaster's Department, the only cases in which compensation is made by this department being under the act of March 6, 1861.

Respectfully,

A. C. MYERS,
Quartermaster-General.

[Inclosure.]

GENERAL ORDERS, No. 7. HDQRS. DEPT. OF MISS. AND EAST LA., *Jackson, October 25, 1862.*

* * * * * * *

II. Whenever State troops are organized and serving under the Confederate authorities they shall be entitled to the same pay and allowances as Confederate troops regularly mustered into Confederate service; therefore all State troops now serving in this department and serving under Confederate authorities will receive the same pay, the same medical attendance, and the same allowance of quartermaster's and commissary stores as other troops recognized and known as Confederate troops.

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By command of Lieutenant-General Pemberton:

J. R. WADDY,
Assistant Adjutant-General.

KING AND QUEEN COURT-HOUSE, *January 7, 1863.*

Honorable SECRETARY OF WAR:

SIR: I arrived at this place on the 29th ultimo, and immediately commenced a tour through the counties of Gloucester and Mathews. The enemy is making almost daily raids in those counties, stealing and destroying everything they can lay hands upon. The people are much excited and beg for a force to keep them back. I think I shall be able to collect in these counties from 150 to 200 conscripts, and from King and Queen, Middlesex, and Essex, from 100 to 150. As I passed on in my tour I advertised, calling on all liable to the conscript act to appear on yesterday (7th [6th] of January) at Saluda (headquarters of Captain Littleton's cavalry company) to be examined preparatory to being enrolled, &c., and the result was as follows: We examined 71; 31 were received; 18 were exempt on account of physical disability, and 22 on the ground of being C. S. and State officers, millers, tanners, ministers of the gospel, physicians, &c. My reason for selecting Saluda as a point of rendezvous for examination and enrollment, &c., was the great danger of being surprised and captured by the enemy lower down. When Captain Clopton's company shall be organized I will have at my command two full companies. At least 150 conscripts in Gloucester and Mathews will not only not appear, as ordered to do, but will force to be collected by a military force. I shall use the two companies for that purpose, and

no time nor energy will be wasted in accomplishing the object. Shall I proceed to enroll in the counties of King and Queen, Middlesex, and Essex? I can soon get all in those counties, if authorized to do so. Inclosed I send you a letter from Capt. John T. Seawell (and authority from Secretary Randolph), who has been taken by the enemy and paroled, relative to commissioning Capt. Thomas C. Clopton as commandant of his company. I have on a list in camp, independent of those examined as above stated, sixty-five that have enrolled for Captain Clopton's company. Most of them are conscripts, and about one-half those that had enrolled for Seawell's company. Shall I organize the company under Clopton, or enroll them as conscripts? If allowed to be organized it will be a valuable guard to the people of this section, and much assist me in my work of apprehending and enrolling the unwilling conscripts. I presume Captain C. is too well known to you to require recommendation from me. I regard him a man of energy and courage. If authorized to organize the company I shall, as soon as they are sufficiently drilled, order them to Gloucester Court-House, and Captain Littleton's company to Mathews County. This force will keep off all marauding parties and quiet the people. In addition to the good these companies can do as represented, they can also render valuable services in apprehending the blockade-runners and their goods in this section of the State; and on this point I ask instructions. The most illegal traffic is daily going on between this class of citizens and the enemy. Flour, pork, meal, and, indeed, almost every article, are being carried across the bay to the Eastern Shore, and across the Rappahannock to the Northern Neck of Virginia, and exchanged for Yankee goods which they now run through the lines to Richmond. This class of men are mostly conscripts and outrageous extortioners. Give me the authority and I believe I could apprehend hundreds liable to military service, and secure for the Government (at reasonable prices) large quantities of heavy woolens, shoes, blankets, medicines, and other army goods; or by confiscation suppress the trade entirely. Please give me instructions what to do. I shall, however, in the meantime take charge of this class of individuals and their goods, and hold them until I get instructions from your Department. Captain Littleton's company, divided into squads, is now operating in portions of Gloucester and Mathews, by my order, arresting unwilling conscripts and bringing them in. The Northern Neck of Virginia, I understand, is worse than Yankeedom itself. The most unlicensed trade is going on. That section ought to be under military control by all means. Write me on this point also.

Very respectfully, your obedient servant,

D. J. GODWIN,
Colonel and Enrolling Officer, &c.

P. S.—Since writing the above a detachment of Captain Littleton's company has brought into camp five persons engaged in running into our lines from those of the enemy a large and excellent assortment of goods. All the men, except one, are, in my opinion, liable to the conscript act. Two are from the Eastern Shore of Virginia, two from this county, and one claims to be a Marylander. From what information I can gather some of the party have probably taken the oath of allegiance to the United States Government, and may be spies. What shall I do with them and their goods? I have charge of both and will await your order. Is a Marylander found in Virginia liable to be

enrolled as a conscript? Please give me written instructions on all the points referred to in my letter and oblige, &c.,

D. J. G.,
Colonel, &c.

I also inclose the application of J. D. Ailsworth and P. G. Dudley to be authorized to run through our lines such goods as our army may need. I have no doubt by licensing good men it would result advantageously to our cause. That, however, is a matter to be determined by you. If authorized, I could select good and reliable men. Instruct me fully. Excuse haste, &c.

D. J. G.,
Colonel, &c.

[Inclosure No. 1.]

GLOUCESTER COURT-HOUSE, *December 30, 1862.*

Hon. JAMES A. SEDDON,
Secretary of War:

DEAR SIR: About the 22d of August last authority was sent to me from the War Department to raise one or two companies of partisan rangers in the county of Gloucester and those adjacent. Such a company as would be of any service had not been fully raised by me when I was taken by the Yankees and paroled. The men who had joined are still extremely anxious to get the company up, and have obtained the consent of Dr. Thomas C. Clopton, of this county, to take charge of it. I write to ask that if possible the authority given to me, and which I now return, may be transferred to him. He has had a good deal of experience as a cavalry officer, and from his great energy and general character I know of no one so well calculated to make such a company useful. He can hand you a copy of the names of the men already enrolled, and if they can be transferred to him, as soon as he has the authority to raise a company, by me, the men will prefer it, and he can soon raise a very fine company. We are utterly unprotected here, and even a small force under the control of a brave but prudent man will tend very much to help us, especially if Lincoln's proclamation shall have much effect on the slaves.

Very respectfully,

JOHN T. SEAWELL.

[Sub-inclosure.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, August 22, 1862.

JOHN T. SEAWELL, Esq.,
Gloucester County, Va.:

SIR: Upon the recommendation of General Lee you are authorized to raise one or two companies of partisan rangers (cavalry or infantry) for the defense of Gloucester and the adjacent counties, yourself to be commissioned captain of the first company, and John K. Littleton, of King and Queen, of the second, if it should be organized, from the date of muster into service. These companies must be regularly enlisted for three years or the war, on the same terms as other volunteers, receiving the same bounty, subsistence or commutation, pay, &c., under the same regulations, and they must be fully organized with the requisite minimum numbers of men, and regularly mustered into the C. S. service. In the absence of a mustering officer you are authorized to muster the companies into service, and you will

forward the muster-rolls by the first opportunity to the Adjutant-General. The companies must furnish, so far as possible, their own arms and equipments, but your requisitions forwarded to the Chief of Ordnance at Richmond will receive the earliest possible attention, so far as practicable. Being raised within the lines of the enemy and without the scope of the conscription, these companies may receive into their ranks volunteers of any age. Though raised and intended immediately for the defense of their own section of country, yet they are not to be mustered for local service, but will be subject to the orders of the general commanding the military department in which they are included, and to him reports must be made when practicable. When communication is impossible you must act on your own responsibility, being the senior captain. All other officers, except the captain in the said company or companies, must be elected.

Respectfully,

GEO. W. RANDOLPH,
Secretary of War.

[Inclosure No. 2.]

SALUDA, MIDDLESEX COUNTY, VA., *January 8, 1863.*

Honorable SECRETARY OF WAR:

SIR: We solicit of you the privilege of running the blockade and bringing such goods from the enemy's lines as the Government may need. We are citizens of this State and have proved our loyalty to the Government by taking an active part in sustaining her rights.

Very respectfully,

JOSIAH D. AILSWORTH.
PEYTON G. DUDLEY.

CONFEDERATE STATES OF AMERICA,
QUARTERMASTER-GENERAL'S DEPARTMENT,
Richmond, January 8, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: On the 9th ultimo I had the honor to submit to you certain considerations relative to General Orders, No. 98, which assign Col. W. M. Wadley, assistant adjutant-general, to the supervision and control of railroad transportation. My aim was to exhibit the propriety if not the absolute necessity of requiring Colonel Wadley to report regularly to this office, and I presented views and facts tending to show that unless such a relation shall be established between that officer and this department much inconvenience and confusion will result. I beg leave to renew my suggestions and to present some views not included in my former letter.

The second paragraph of General Orders, No. 98, prescribing the duties of Colonel Wadley, seems to be in conflict with paragraph II of General Orders, No. 112. By the former the direction of all Government agents or employés engaged in railroad transportation, the control of all machinery and rolling-stock belonging to the Government, the power to dispose of the same, the authority to appoint and dismiss agents heretofore employed by the Quartermaster's Department, and the sole supervision and management of railroad transportation are conferred upon Colonel Wadley. By the latter order the transportation of all ordnance, ordnance stores, and supplies is transferred

to the Quartermaster's Department, to which it properly belonged, because it is a duty especially devolved upon it by the Regulations, as will be perceived by a reference, under the head of "Army Transportation," to paragraphs 985 to 996, inclusive.

This order further charges the Quartermaster's Department with "the safe and speedy delivery" of these stores, and makes it responsible for the same, although by the terms of the previous order (No. 98) the control of all railroad transportation and the agents and employés connected with it had been transferred to an officer unconnected with this department and in no sense responsible to it.

As stated in my former letter, all payments for railroad transportation are provided for in the estimates of the Quartermaster's Department, and all accounts therefor are audited and paid by it, while the power of contracting with the railroad companies and fixing the schedules of their compensation belongs to an officer who is not required even to inform the department of the terms of the contracts he may make. It seems evident that with this divided control over the same subject unity is scarcely attainable. I beg leave to observe further that by the Regulations all officers charged with the disbursement of money or the custody of public property in connection with military transportation are held responsible for the same, and required to give "good and sufficient bonds fully to account" therefor. To change the system of official responsibility and accountability prescribed by the Regulations involves a policy as to the propriety of which grave doubts may well be entertained.

I am, sir, very respectfully, your obedient servant,

A. C. MYERS,
Quartermaster-General.

CIRCULAR.] ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, January 8, 1863.

SIR: Your attention is called to the great necessity which now exists for strenuous exertions in securing men to fill up the commands of the Army within a reasonable time. You are therefore desired to detail from your command such suitable officers and men as can be spared to proceed at once to those sections of the country in which their regiments were raised, for the purpose of gathering conscripts and conducting them to their commands, without passing them through camps of instruction in the ordinary manner.

Every encouragement will be offered by the officer thus detailed consistent with the law and the regulations of the service, and by kind treatment and arguments addressed to the patriotism and sense of duty of citizens to induce them to enter the service of their country. Such persons as are liable to conscription will be allowed to join any particular company and regiment requiring recruits in the command in which the officer may be serving. In like manner such persons as are within the conscript age and may come forward and offer themselves for service will be allowed to volunteer, and will receive all the benefits which are secured by law to volunteers. Recruits thus obtained, however, must in all cases enter companies already in service, and cannot be organized into new companies and regiments.

The officers and men detailed by this authority will be governed, generally, by the acts of conscription and exemption and the regulations in connection therewith, published in General Orders, No. 82, of

1862, from this office. Copies of this order will be furnished to parties intrusted in this circular on application to this office.

By order of the Secretary of War.

Very respectfully, your obedient servant,

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, January 8, 1863.

His Excellency T. O. MOORE,
Governor of Louisiana:

SIR: I have the honor to acknowledge your letter of the 24th ultimo, objecting positively to the export of cotton in Louisiana for the purpose of introducing salt into your State. I think you have misapprehended both the extent and purpose of the dealing proposed to be allowed. The President had authorized Governor Pettus, of Mississippi, to procure as far as necessary salt in exchange for cotton, and supposing that the district in Louisiana through which such salt was to be transmitted would feel as a great injustice that they should be denied a privilege which they saw enjoyed by a people just beyond their limits in Mississippi, I authorized a supply to be obtained for them, but only to the extent of their pressing needs. I am pleased to hear that no necessity exists for such supply to them, and shall have no objection to the restriction of the privilege. The policy of trading in cotton with New Orleans is strongly disapproved by the Department. In some few instances for articles of prime necessity to our armies contracts have been made with parties living in Orleans to pay in cotton, but the cotton is not to be delivered till the articles are first received, and, in addition, there is the positive relation that the cotton shall be shipped, not from New Orleans, where it is not to go, but from a lake port, under the certificate of a foreign consul, direct to Europe. Even these contracts have been reluctantly made and only to assure the indispensable end of maintaining our armies in comfort and efficiency.

With high consideration and esteem, most respectfully, yours,

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, January 8, 1863.

His Excellency M. L. BONHAM,
Governor of South Carolina, Columbia, S. C.:

SIR: I have the honor to acknowledge the receipt of your letter inclosing a copy of an act of the Legislature of South Carolina in reference to the organization of negro labor for coast defense.* The Department considers the proposed system for the employment of slaves well arranged and judicious, and approves highly of the action of the Legislature; but there is one provision of the law, viz, that which requires payment for slaves who escape to or are captured by the enemy, with regard to which the Department does not feel author-

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*See p. 267.

ized to take any action, as Congress alone can provide for such payment.

With high consideration and regard, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

COLUMBIA, *January 8, 1863.*

Hon. WILLIAM PORCHER MILES,
Member of Congress, Richmond:

MY DEAR SIR: Since I sent you a copy of a paper about the conscription laws I find the proceedings of the War Department have virtually suspended their operation through camps of instruction and substituted a system of recruiting and volunteering. A circular order (8th January, 1863) does away entirely with the necessity of the vast and expensive machinery set in motion under the law. It is very far from being an improvement on the law, for it is nothing more or less than a system of impressment, and will produce infinite discontent and bring but few men from this State. It is a mistake. Already under it the country is flooded with ignorant subaltern officers, selected and sent out because they are useless in the field, to enlist or gather up men under the regulations of General Orders, No. 82; that is, they are appointed enrolling officers to administer the grave and delicate functions of the conscript laws. It breaks up the enrolling system established by law and puts the matter virtually in the hands of men selected as recruiting sergeants. The order is made on the plea of getting the men more rapidly in the field. It will utterly fail in that purpose. Had the Department acted precisely under the law and Orders No. 82, and sent the officers provided for to me on the 1st day of December, I would by the 1st of March have had every man liable in South Carolina in the field. Up to this day they have sent me but three officers. It is true, about a week since there was forwarded a list of about sixty to choose from. Major Melton and myself have sought every information concerning them from members of the Legislature, and as yet we have not been able to select but two as at all fitted for the service. Many of them can scarcely write their names. My opinion is that under the errors of the Department and the entire want of comprehension by it of the scope and purport of the law, together with this circular order, you had better repeal the whole system and begin anew. As it now is so confused, so utterly fruitless, becoming so odious, it is much worse than nothing. Properly administered I regard it as an eminently wise system, and while General Orders, No. 82, is seriously defective, the defects might have been remedied in the mode of executing it. The modifications have increased the defects and neutralized all the good. I think you have been driven from a most admirable policy and system by the incompetency of those to whom their administration was intrusted. Had the President and Secretary held the matter in their own hands, and administered it as a vast civil machine, as well as the nursery of the military force of the country, it would have been effectual and permanent. But when you were mayor of Charleston you had as well have put your policemen to administer your finance and sanitary ordinances as for the people who have been to be put at this conscription law. Either leave the whole matter to the States, or make it a civil as well as military process.

Very truly and respectfully, yours,

JNO. S. PRESTON.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, January 8, 1863.

Prof. S. MAUPIN,
Chairman of the Faculty, University of Virginia:

SIR: I have received your letter asking that the students of the University of Virginia be exempted from conscription or furloughed until the end of the present session. In reply I have the honor to say that as Congress, after a careful consideration of the whole subject, declined to exempt the students of colleges, the Department does not feel authorized to grant exemption in this case. The students must be enrolled, if of conscript age, but may then be furloughed or detailed until the 4th of July, on condition that they then report themselves at once to the camp of instruction.

Your obedient servant,

JAMES A. SEDDON,
Secretary of War.

GENERAL ORDERS, No. 3. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, January 9, 1863.

I. The attention of officers is called to the thirty-fourth article of Army Regulations, and especially to those paragraphs of the article which relate to the channel of military correspondence. It is no exaggeration to state that nearly one-third of the correspondence received at the War Department and at this office from officers of the Army and others in the military service comes directly from the writers without passing through the prescribed channel. Therefore, all indirect communication with the Department is prohibited, and where it is attempted, either in person or by letter, the application will be referred to the proper military commander before action is taken on it, and instructions will at the same time be given to bring the offender to trial for violation of the regulations and orders respecting military correspondence. These regulations were made after long experience. They have been found indispensable and must be observed.

II. Not only are all papers and applications to be forwarded through the regular channels of communication, but the officers through whom they come, and who are generally supposed to be informed on the merits of the case presented, are required to express their opinions thereon, either in approval or disapproval. These opinions are frequently important to the Department, and the rule which prescribes them must not be overlooked.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, January 9, 1863.

His Excellency Z. B. VANCE,
Governor of North Carolina:

SIR: Your letter of the 6th instant has been received. By an act of the late session of Congress (No. 51) the President was authorized and empowered to receive into the service companies or regiments

that might be formed in such places as to which the conscription acts had been suspended or cannot be enforced by reason of the occupation of the enemy, under and according to the first and second sections of the act of the 8th of May, 1861, providing for the raising of additional forces to serve during the war. The Department will, under the terms of that act, accept companies or other organizations that may be formed under it by the direction of Your Excellency.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

EXECUTIVE DEPARTMENT,
Richmond, Va., January 9, 1863.

GENTLEMEN OF THE HOUSE OF DELEGATES:

In response to your resolution adopted on the 8th instant I state:

First. That from the information I have received the force under General Floyd amounts to about 3,600 men. This information was received from Colonel Clarkson on a recent visit to this city.

Second. When the State Line was organized the conscript law, as it then stood, embraced persons liable to militia duty between the ages of eighteen and thirty-five years. In the loyal portion of the State, where the conscript law could be executed, General Floyd, so far as I am informed and believe, received only such persons as were under eighteen and over thirty-five years of age. Any conscripts that may be found in the State Line have come from the disloyal counties of Virginia and from the States of Tennessee and Kentucky; and these were received in pursuance of an understanding and agreement between the then Secretary of War and General Floyd. Some of the officers under General Floyd are within the conscript age; but all such were appointed with the knowledge and concurrence of the War Department. General Floyd has acted in perfect good faith in his efforts to raise the State Line, and has studiously endeavored to avoid conflicts with the Confederate authorities.

Third. Reference to the eighth page of my message, sent in the first day of the session, will furnish the answer to the last inquiry. It will be found under the head of "Expenses of the war." The report of Colonel Smoot, therein referred to, gives details showing the amounts expended and the objects for which the expenditures were incurred. This report has been in the hands of the Public Printer for several days, and will be delivered, I suppose, in a short time.

Respectfully,

JOHN LETCHER.

CONFEDERATE STATES OF AMERICA, TREASURY DEPT.,
Richmond, January 10, 1863.

Hon. T. S. BOCOCK,
Speaker House of Representatives, Confederate States of America:

SIR: I have the honor to submit the following report of the condition of this Department. The statements for the last year were made up to the 18th of February, 1862, the termination of the Provisional Government. From the commencement of the permanent Govern-

ment to the 31st of December, 1862, the receipts and expenditures were as follows:

RECEIPTS.

Patent fund	$13,920
Customs	668,566
Miscellaneous	2,291,812
Repayment of disbursing officers	3,839,268
Interest on loans	26,583
Call-loan certificates	59,742,796
One hundred million loan	41,398,286
Treasury notes	215,554,885
Interest-bearing notes	113,740,000
War tax	16,664,513
Loan, 28th February, 1861	1,375,276
Coin received from Bank of Louisiana	2,539,799
Total	457,855,704

EXPENDITURES.

War Department		341,011,754
Navy Department		20,559,283
Civil, miscellaneous, foreign intercourse, and customs		13,673,376
PUBLIC DEBT.		
Interest on public debt (loans)	$5,892,989	
Payment of Treasury notes, act of March 9, 1861—		
Principal	$545,900	
Interest	20,860	
	566,761	
Redemption of 6 per cent. certificates	11,516,400	
Redemption of Treasury notes called in for cancellation and reimbursement of principal, under act of May 16, 1861	23,751,172	
		41,727,322
		416,971,735
Add balance against the Treasury on February 18, 1862		26,439,572
		443,411,307
Amount of receipts		457,855,704
Deduct amount of expenditures		443,411,307
Balance		14,444,397

This balance consists in part of the coin on hand received from the Bank of Louisiana and the remainder in interest-bearing Treasury notes. The appropriations made by Congress and not yet drawn from the Treasury are as follows:

Civil and miscellaneous	$10,925,049
War Department	57,865,879
Customs	396,612
Navy Department	12,692,373
Total	81,879,913

The estimates for the support of the Government to the 1st of July, the end of the fiscal year, are as follows:

Legislative	$231,600
Executive (salary of President, &c.)	13,471
Treasury Department	29,929,697
War Department	242,977,067
Navy Department	16,948,870
State Department	150,253
Department of Justice	172,632
Post-Office Department	60,123
Miscellaneous	10,000
Total	290,493,713

In order to ascertain the amount to be raised by Congress we must add—

1. The estimates	$290,493,713	
2. Undrawn appropriations	81,879,913	
		$372,373,626
And deduct the balance in the Treasury		14,444,397
Leaving amount to be raised		357,929,229

The debt of the Government at the same date was as follows:

BONDS AND STOCK.

Under act of February 28, 1861		$14,987,000
Under act of May 16, 1861		6,414,300
Under act of August 19, 1861		67,585,100
Deposit certificates under act December 24, 1861:		
Issued	$69,005,370	
Redeemed	12,516,400	
		56,488,970
		145,475,370

TREASURY NOTES.

3.65 notes	992,000	
Two-years' notes	10,919,025	
English currency	272,022,467	
7.30 notes	120,480,000	
$1 and $2 notes	6,216,200	
		410,629,692
Total		556,105,062

In the above statement is contained a large amount of bonds and interest-bearing notes, which are on hand in the various depositories not yet issued. It is important to bear this in mind in estimating the effect of the act of the last session upon funding Treasury notes. The loans in which such notes are funded are those mentioned in the schedule as loans of May 16 and August 19. The amount of those loans, as reported at the last meeting of Congress, was on the 1st of August $41,577,250.

By the statement now reported the total amount of these bonds is	$73,999,400
From which should be deducted amount on hand not yet disposed of, say	8,000,000
	65,999,400
And in order to ascertain the amount of Treasury notes funded there must be deducted for the bonds issued for produce, say	7,000,000
	58,999,400
Deduct amount reported August 1	41,577,250
Balance	17,422,150

This balance shows the amount of Treasury notes funded in five months, the average being about three and a half millions per month.

During the same period the interest-bearing Treasury notes have increased from $22,799,900 to $120,480,000; increase, $97,680,100; from which deduct notes on hand, $11,004,600; real increase, $85,775,500.

This large increase of interest-bearing notes affords satisfactory evidence that the issue of them was a judicious measure, and for any ordinary war the bonds and interest notes, amounting together to a monthly sale of $20,500,000, would have sustained the Government without any resort to paper currency. But the estimates call for

more than twice the amounts furnished by these resources, and we are compelled to resort to the Treasury notes to supply the deficiency. It becomes, then, a most important inquiry whether the issue of such notes can be continued, and if it can, then to what extent? In a former report it was shown that the circulation of the Confederate States before the war might be estimated at $100,000,000. In the existing state of things it is probable that a larger amount of currency is required. In time of peace money passes rapidly from hand to hand, and the same money in a single day will discharge many obligations. A large portion, too, of the operations of business are performed by bills of exchange and bank checks. In the present stagnation of commerce and intercourse larger amounts of ready money are kept on hand by each individual and the Confederate Treasury notes and call certificates are used as a substitute for bills and drafts to a considerable extent. If this view be just we may venture to add as much as 50 per cent. to the usual amounts of currency, and this would raise the sum total at which it might stand to $150,000,000. The difference between this sum and the actual circulation will show the redundancy. The actual circulation embraces not only Treasury notes, but bank notes and State emissions of Treasury notes. In ordinary times coin would also form a part, but at present not only the coin but a large portion of the bank notes have been withdrawn from circulation.

The issue of Treasury notes on the last day of December amounted to $290,149,692, exclusive of interest-bearing notes. By adding to this sum a sufficient amount to cover the State treasury notes and the bank notes in circulation we can arrive at the sum total of the currency; $20,000,000 added to the Treasury notes would probably represent the whole. It is this aggregate which must be kept in view when we deal with the currency as a measure of values. It is the whole mass as it is accepted by the community in exchange for its various commodities which by its proportional relation to those commodities determines their prices. By a law as invariable as any law of physical nature these prices rise or fall with the actual volume of the whole currency. Neither skill nor power can vary the result. It is in fact a relation subsisting between two numbers, the one representing the total values of property and the other the total circulating medium. The nature of that medium cannot change it. It would exist with a currency of gold with as much certainty as with one of paper, if the gold were kept within the country by restraints equal to those which retain the paper. Assuming, then, that entire confidence exists in our currency, the mere fact that its actual volume has been increased threefold, would lead us to expect a corresponding increase in prices. Such increase, although eventually certain, does not usually appear at the same moment with the expansion. Like the moon's attraction upon the ocean, the time of high water is postponed for a certain period beyond the moment at which the influence has been exerted, and the length of the interval is affected by exceptional causes. But although there may be delay the event is certain. Prices will reach the height adjusted by the scale of issues and they can only be restored to their usual condition by a return to the normal standard of currency. In other words, the only remedy for an inflated currency is a reduction of the circulating medium. Is this reduction practicable? Before answering this question it is important we should be fully assured of the excessive issue of paper currency. If the country were open to foreign intercourse the difference in value between coin and paper money would at once afford a test. But in the present condition of

trade coin cannot be imported, and gold and silver have become articles of commerce like iron and lead. They cannot, therefore, take their usual place as absolute measures of value. Difficulties somewhat of the same kind attend other tests, such as bills of exchange, real estate, or commodities in general use and of which there is no scarcity. Ordinarily the average price of wheat, grain, and other like articles of prime necessity would furnish a guide. But the want of transportation causes a fluctuation of demand and supply from day to day and thus deranges prices. Making all due allowances for fluctuation, we find that the present prices of such articles range as nearly three times the usual peace prices.

Notwithstanding the interruption of commerce, we find also that the foreign exchanges and even coin stand at nearly the same rate. Reasons of a different character, but of equal force, apply to real estate and prevent its price from being a proper guide. The general increase, however, in its nominal value confirms the conclusions deduced from the other tests. These facts unite in establishing beyond doubt both the actual redundancy of the currency and its probable rate of excess. The remedy which is required in order to be effective must therefore withdraw two-thirds of the entire volume of the currency. The measures already adopted by Congress were intended to act in this direction. The Treasury notes were all made fundable originally in 8 per cent. securities, and it was supposed that the holders of notes would prefer investing them in bonds rather than hold them when depreciated. To stimulate investments the holders have been notified by the act of last session that after the 22d of April they can no longer invest in 8 per cent. securities. These measures, although judicious and well timed, are overpowered by the necessity which compels the Government to increase its issues. Notwithstanding the large and daily investments in bonds, the currency continues rapidly to grow in quantity. This increase causes a daily advance in prices, and the necessities of the Government compel it to purchase at these prices. The payment of enhanced prices again compels a further increase in these issues, and an ascending series of action and reaction is thus established between prices and issues which if not arrested must result in consequences disastrous to the best interests of the country. These effects are hastened by the injurious operations of the excess of currency upon the bonds of the Government. These bonds are offered as absorbents for the Treasury notes and the high rate of interest which they bear is the inducement to take them. In our present circumstances this interest must be paid in Treasury notes. By depreciating these notes the interest suffers equal depreciation and an 8 per cent. bond becomes in effect a 4 or 3 per cent., according to the scale of issues of Treasury notes. The inducement to take the bonds is thus destroyed and the bonds themselves cease to afford relief to the currency. They offer still less inducement to any foreign purchaser, because he is informed by the rate of exchange that his interest will be paid in a currency which must be exchanged for his own at the rate of $3 for $1. It is plain, therefore, that the change required is a prompt reduction of the currency to its normal condition.

The question recurs, is this practicable? At the last session of Congress an effort was made to obtain this result by the proposal for a loan of one-fifth of all gross income to be paid in Treasury notes in exchange for bonds. The adoption of this measure would have retired a large amount of Treasury notes at an early period, and would thus have checked the advance of prices. It is the misfortune of every

such failure that it leaves the evils increasing at a double ratio and subsequent remedies must be so much the more stringent. All the causes of excess continue in full operation. Prices increase, the Government is compelled to purchase, and the purchases must be made by new issues. Each new operation aggravates the disease, and hesitation or delay is ruinous. The conditions, then, which any sufficient remedy must fulfill are, first, prompt and, secondly, effective reduction. To be effective the currency must be reduced at least to $150,000,000, already shown to be its extreme limit, and this reduction must be so prompt as to take effect before prices can undergo further increase. To meet these conditions I would respectfully propose that after the lapse of a reasonable time the issues of Treasury notes bearing date prior to the 1st of December, 1862, shall cease to be currency. This can be done with the least possible injury by following up the action of Congress at the last session and fixing a period of limitation for funding these notes. As the law now stands these notes are receivable for Government dues and the holder is entitled to fund them in 8 per cent. securities until the 22d of April next, after which date he can fund in 7 percents. I propose simply to fix a period of limitation for the exercise of this last-mentioned privilege by enacting that after the 1st of July next the privilege of funding these notes shall cease. Six months have already been allowed for investment in 8 per cent. securities according to the contract on the face of the note. Two months more will be allowed for investment in 7 percents, and if after so long a notice the holders do not choose to avail themselves of their privilege the good faith of the Government will stand clear of imputation. But it is essential to good faith that ample means should be provided by the Government to secure and pay the principal and interest of the securities in which the holders are required to invest. This can only be effected by an ample and permanent tax. Such a tax is the corner stone of the whole fabric. Without it the scheme has no foundation and can secure neither public confidence nor success. The proper extent of this tax will hereafter be considered. It is sufficient for the present to affirm that it must at least pay the interest on the entire public debt. To give completeness to the plan it would seem proper to provide measures for any future redundancy. We are happily relieved from this necessity by the patriotic proposal of several of the States to guarantee the whole or a large portion of the war debt of this Government. If all the States can be induced promptly to adopt this measure, means will thereby be furnished to absorb any excess of the new issue over the proper amount of currency. The guarantee of the States will enable this Government to reduce the interest of its bonds to 6 per cent., and if the States can be prevailed upon to extend the guarantee so as to cover the whole war debt, or at least $400,000,000 or $500,000,000 thereof, the saving in interest will be so great as to enable the Government in due time to extinguish the whole principal of its debt. Upon a debt of $500,000,000 this saving will be just $10,000,000. The ability to apply this amount to the principal instead of the interest affords such obvious advantages as to insure the favorable consideration both of Congress and of the States. An analysis of the scheme proposed will reduce it to three essential features:

First. A limitation upon the privilege of funding the notes issued prior to 1st December.

Second. A war tax.

Third. A guarantee by the States.

I. In considering the first of these features the first inquiry which suggests itself is, what will be the effect of this limitation? Will it

arrest the circulation of the notes and lessen the volume of the currency? Its first effect will certainly be to add another stimulant to investment in bonds. It was unfortunate that the act of the last session postponed the change of interest for six months. The delay has deprived the remedy of much of its efficacy, and good faith requires that at least sixty days should be allowed for its operation. Otherwise I would have proposed to limit the funding privilege to the 1st of May instead of the 1st of July. The effect of the stimulant is thus retarded. Still, the fact that there is a period of limitation will induce holders to come in before it expires. Those who desire to secure 8 per cent. securities will come in before the 22d of April or hold up until near that day the notes which secure that right, and all who can will come in before the 1st of July to save the final exclusion. It is probable therefore that throughout the entire period an amount will be withdrawn sufficient to check any rapid advance in the total amount of circulation. But when the final date of limitation approaches the notes will not pass readily from hand to hand, and the result will be that they are thrown out of ordinary circulation and relieve the currency to that extent. The comparatively small amount then left in the hands of individuals will cease to have a purchasing power. They will pass only by special contract and their chief value will consist in their being receivable for Government dues. If at this point the Government will collect a tax sufficient to absorb the whole remnant, the relief afforded to the community and the currency will be made complete. Hitherto the policy of the Government has sought to absorb the circulation by inducements alone. Bonds at a high rate of interest have been offered, but the inducement has been abated by the depreciation of the currency in which the interest is paid. It is proposed now to supply the deficiency by a small portion of constraint. We see on every side of us indications of the abundance of money. Large sums are everywhere held on deposit, but the holders propose for themselves more profitable investments than public securities. The ability to keep unemployed these sums, and to hold them for an indefinite time proves that no serious damage will be suffered by requiring their conversion into bonds. The large amount of money which is shown by the war-tax returns to be invested at interest in private hands confirms the belief that there is no want of capital among our people. It does not seem to be a rash conclusion, therefore, that at least three-fourths of the currency outstanding on the 1st of December may be funded without substantial damage to private interests. If the remaining fourth could be absorbed by a tax the solution of the problem would then be complete. The people are fully prepared for the payment of a high tax. It may not be practicable to place it at so high a rate as to absorb one-fourth of the entire currency to be called in, but it may approach so nearly as to leave unabsorbed only that portion which will remain outstanding in spite of all efforts to call it in. I will not venture to assert that grave objections may not be made to this scheme. Such objections will be found in the way of every plan. They are necessary results of the proportions of the war which is waged against us and of the enormous sums of money required to carry it on. But it appears to me that upon due examination these objections, if not entirely obviated, will be found to be counterbalanced by equivalent advantages.

1. The first and most obvious objection to the scheme is that it is an infringement of the contract. The notes have been accepted

upon the promise of the Government that they may be invested in interest-bearing public securities, and that promise is not fulfilled after the 1st of July next. It might be answered that Congress has already settled this principle by the act of last session which reduced the interest from 8 to 7 per cent. A still better answer will be found in the reasons which led to that act and which make necessary the one now proposed. A limitation of time for the performance of contracts has never been considered an infringement where sufficient opportunity is given to claim performance. Justice is satisfied by giving to the party full opportunity to receive the benefit of his contract. Upon this principle rests every change in statutes of limitation. Examples of the same principle are afforded in private matters by the laws of partnership and for the administration of assets. In public matters the history of every nation affords like precedents, which will probably find support in the laws of every State in our Confederacy. The modification of the contract is substantially for the benefit of both parties. The object in view is to increase the value of the whole remaining currency. This object it effects by increasing the purchasing power of each note in proportion to the reduction of the whole. Assuming this reduction to be two-thirds, it follows that every holder of only one-third in proportion of the new issues will have the same value in money left after he shall have invested the other two-thirds in bonds. In other words, he will make a clear gain of those two-thirds. If he shall have in his possession none of the new issues, he will nevertheless gain in the reduced price of every article of consumption.

2. Next it will be objected that after the lapse of the period of limitation the value of the note as money is taken away. It is true that the note will lose its function as money, but its intrinsic value is unimpaired. It is still receivable for public dues, and it still has the faith and property of the Confederate States pledged for its payment. It will even have a modified circulation. A great public exigency has arisen which compels a change, and all that the Government can do is to make the change with as little injury to private rights as possible. This it endeavors to do by avoiding any direct interference with the contract and by giving to the holder ample opportunity to reap all its advantages. The time for the enjoyment of these advantages was no part of the contract, and every holder was bound to know that such an incident has always been considered within the control of the law-making power.

3. It will be urged that the calling in the circulation, as proposed, will cause too large and sudden a contraction. An examination of the probable state of the currency at the date of limitation will show this objection to be unsound. The new circulation to be issued after the 1st of December will, on the 1st of July, probably be upward of $200,000,000. It will be issued gradually, and will fill up the channels left by the funding of the old issues, and so far from producing contraction, the new issues will probably be in excess at too early a date. The danger at all times to this kind of currency is in that direction.

4. A fourth objection will be found in the probable effect on the price of bonds. The large amount of currency turned into bonds will cause the supply to outrun the demand, and the usual consequences of such a condition of the market will follow. It cannot be denied that the price of bonds will probably fall, but this fall will in truth be merely nominal and will find a full compensation in the increased

value of the currency for which they are sold and in which the interest will be paid. Those classes of the community which sell bonds from necessity or for the means of living will probably gain more in the reduced market prices of the articles which they purchase than they will lose in the reduced market value of the bonds which they sell. Those who hold the bonds on speculation would gain or lose according to their ability to hold them, while all those who have taken them as investment will escape injury by simply holding them according to their original purpose. The contraction of the currency will increase the value of the interest paid them during the war; and at the end of it they will have a security which will command a price which will amply repay their confidence. The most conclusive answer, however, to this objection is to be found in the fact that whatever may be the amount of depreciation on the bonds, it cannot exceed the depreciation in the value of the currency. If the Government must issue an obligation in the shape of currency to pay $21 for a barrel of flour, which in a normal condition of the currency could be purchased with $7, it is actually selling its paper at one-third of its face. At the same time by excessive issues it is disturbing all other values and all the commercial relations of society. The depreciation in the bonds could never reach this high rate, neither would it affect the prices of commodities or commercial relations. If, then, we are reduced to a choice between evils, the reduced value in the bonds is manifestly the less.

II. We now come to the consideration of the next great feature in the scheme, namely, the war tax. What shall be the subjects of that tax and what amount should it raise? The subjects upon which a tax may be levied are many, and the expediency of each involves questions which it is not proposed at present to discuss. It seems to me that a tax upon property and income is so much to be preferred to stamp duties, excises, licenses, and other like taxes which call for a machinery vexatious in its character and expensive in its operation that there will be little hesitation on the part of Congress in its acceptance. The direct tax heretofore levied has set in operation all the machinery necessary to levy another, and an income tax could be collected by the same means. It seems to me that both these forms of tax should be adopted. To lay a sufficient tax upon property alone would require too large an increase in the rate of last year. Such an increase would operate with peculiar hardship upon property producing no income. On the other hand, a tax upon income is so easily evaded that of itself it would furnish an insecure resource. It is proper, however, that incomes should be taxed; otherwise the whole profits of speculation and trade, together with those resulting from skill and labor, would escape contribution. I propose, therefore, that a tax be imposed upon property and upon the gross amount of incomes of every kind, excepting those below some minimum to be adjusted by Congress. The next inquiry is as to the rates of these taxes, to adjust which it must first be ascertained what amount it is necessary to raise.

It has already been shown that up to the 1st of July next the Treasury notes in circulation will exceed	$500,000,000
Deduct the circulation proposed to be left, say	150,000,000
Remaining funded	350,000,000
The annual interest on this sum at 8 per cent. is	28,000,000

To this must be added the interest upon about $120,000,000 of 7.30 notes	$8,760,000
And upon $60,000,000 of 6 per cent. certificates	3,600,000
Also the interest upon 8 per cent. bonds and stock, say about $100,000,000	8,000,000
	48,360,000

This amount shows the lowest figures which should be raised by the tax. The soundest considerations of policy would add as largely to this sum as the people of our country can bear. If the tax be made payable in all kinds of Treasury notes it would absorb so much of the first issues, and by reducing the amount to be funded would abate the force of the objections to the scheme. If $60,000,000 of notes could be thus called in the benefits resulting would fully counterbalance every possible hardship—the currency would promptly recover its value, the bonds would become an object of investment instead of being thrown on the market, and a sure and steady system of finance would be established. A tax of 1 per cent. on property, if it could be made as productive as last year's, would raise twice the amount of the last war tax, say $40,000,000. But inasmuch as portions of the States are in the hands of the enemy it would be proper to make a deduction of probably one-tenth, which would leave the amount at only $36,000,000. This sum would be subject to still further abatement so long as the decision of the Confederate court of South Carolina as to the power of Congress to tax State bonds remains unreversed. The very large amount of money invested in this form was included in the war-tax act of the last year, and the tax thereon was paid everywhere, except by those who raised the question in South Carolina. For the ensuing year the case would be different. If the same tax were laid by Congress it is probable that the holders of State bonds would claim exemption under this decision, and Congress itself might be unwilling to re-enact in the same form a law which had been declared unconstitutional by the co-ordinate branch of the Government until that decision is reversed. The question is of such magnitude and involves such great interests that an appeal was taken. But this appeal cannot be decided until a supreme court shall be organized. It may be worthy, therefore, of the consideration of Congress whether the question should not be raised in another form by taxing the income of the bonds in the hands of the citizens. The taxing power over income in the hands of the citizens for consumption may be distinguished from that over State bonds specifically as property. In my view both are constitutional, and the public interests demand that every proper effort should be made to insure consideration of the question in all its aspects. In either case, however, the tax would probably prove unproductive until the question shall be finally decided.

It is necessary, therefore, to estimate for an abatement on the tax of last year. Assuming $100,000,000 as the probable amount invested in State securities, a tax of 1 per cent. would amount to $1,000,000, and so much must therefore be abated from the estimate. In estimating the rate of a tax on incomes the only basis to which I can refer is the value of the entire property in the eleven Confederate States. It may be assumed that the net income of this property is measured by the average rate of legal interest of the money which represents its value. If the tax were laid upon net income and that income were faithfully returned, it could in this way be estimated with some degree of accuracy. But the devices are so many by which a return of net income can be evaded as to make such returns unreliable. A resort to gross

income is therefore more expedient. The difference between the two must be at least 25 per cent., but under existing circumstances and for the purpose of an estimate it would be prudent to disregard the difference and assume that the returns of gross income will be about equal to the average rate of legal interest. It is believed that even the proceeds of skill, speculation, and labor, which may be returned where no capital is involved, will not materially vary the result. The estimate formerly made to Congress of the value of all the property in the eleven Confederate States in which taxes have been collected was $4,632,000,000. If we leave out the odd numbers in these figures on account of such property as is now beyond the reach of taxation and for other contingencies, we have in round numbers $4,000,000,000. The average of interest in the Confederate States may be set down at 7 per cent., which would make the total income equal to, say, $280,000,000. A tax of 10 per cent. on this sum would produce in the gross about $28,000,000, and this, added to the property tax of $35,000,000, would raise a sum total of $63,000,000, or in round numbers $60,000,000 after deducting expenses and contingencies. It will probably be insisted that there is no occasion for the imposition of so heavy a tax, and many will contend that it is sufficient that the Government pay the interest alone of the public debt.

I ask leave most earnestly to dissent from this doctrine and to urge upon Congress a continuance of the policy already adopted by this Government of making portions of the public debt payable every six months after the probable termination of the war. The sinking funds devised by Mr. Pitt and the great statesmen of his time have proved deficient, not in principle, but in administration. The principle upon which they rest is the annual raising of an amount beyond the interest for the purpose of eventually discharging the principal. The punctual investment of these surplus sums at compound interest by the mere operation of numbers would be certain to discharge the debt in a given time. The failure of this plan in its effect upon the public debt of England arose from defects in its administration. As the invested fund increased in amount it offered constant temptation to the Government to make use of it, and the party in power often preferred inventing pretexts to seize upon it or to court public favor by calling off unpopular taxes required for its increase rather than continue or augment those taxes. Besides, the neglect to make punctual investments as the interest accrued had a constant tendency to reduce compound interest to simple; and thus it was found impossible in a long course of years to preserve the fund inviolate or to maintain the constant supply from taxes, which the plan demanded. These defects are believed to be remedied by the plan upon which the $100,000,000 loan of this Government has been issued. It resembles the sinking-fund plan in requiring an annual surplus of taxes beyond the amount of interest on the public debt, but it differs from it in applying this surplus to the immediate reduction of principal. The machinery of a fund is dispensed with together with all its attendant officials. The best practical investment is made by paying off so much of the public debt, and the temptations and waste incident to a fund are avoided. The full benefit of a sinking fund is thus secured without its disadvantages. All that is required is the original adjustment of the payments of principal through an entire series of years and the steady determination of Congress to raise annually a fixed sum sufficient to make these payments in addition to the yearly interest. The number of years in which the debt will be paid will depend upon the

amount of this fixed sum. In proportion to its excess over the annual interest will be the shortness of the period. The first payments of principal will be comparatively small, but each will diminish the interest of the succeeding year, and will thereby set free a larger sum annually to be applied to pay the remaining principal until the debt be finally discharged.

The act of Congress of the 12th of April, 1862, departed from this plan and made the next issue of bonds payable in thirty years, subject to redemption at any time after the expiration of ten years. The whole subject necessarily comes up for consideration in adjusting the tax now to be laid by Congress. The $15,000,000 loan carries an interest of 8 per cent.; it is payable in ten years, but may be redeemed at any time after the 1st of September, 1866. The $100,000,000 loan is also an 8 per cent. loan, and is made payable in installments which fall due every six months for eighteen years from the 1st of January, 1864. The first installment of principal, of $1,288,700, is payable the 1st of January, 1864; the second, of $1,340,200, is payable the 1st of July, 1864. The third loan is under the act of April, 1862; it is also an 8 per cent., payable, as above stated, at the pleasure of the Government at from ten to thirty years. If Congress should approve the application of the plan of the $100,000,000 loan to the whole debt of the Government, then a change should be made in the loan of April, 1862. No bonds have yet been issued under that act, and the matter is yet within the control of Congress. A modification of the law must be made at any rate to meet the reduction of interest required on notes issued subsequent to December 1. If the scheme of finance hereinafter proposed in relation to the debt guaranteed by the States shall find favor with Congress, a further modification of the loan of the 12th of April, 1862, should be made by reducing the period for redemption from ten years to five years. This change will enable the proceeds of the sale of the 6 per cent. bonds guaranteed by the States to be applied in discharge of the 8 per cent. at the end of five years in case they cannot be purchased in the market sooner.

III. We come now to the third feature in the scheme, namely, the guaranty of the States. The State of Virginia led the way and proposed that Congress should devise a plan for a loan to be guaranteed by the States. Congress did not see fit to take any action on the subject at its last session. It was probably deemed best that the proposal should come from the States. An offer of their guaranty is certainly more beneficial to the credit of the Government than a request for aid. The delay has given the opportunity to the States to make the offer. The State of Alabama has offered a guaranty of her quota of the whole war debt upon certain conditions. The State of South Carolina has offered to guarantee a quota of $200,000,000 upon certain other conditions. A copy of the action of their respective Legislatures is herewith submitted.* The varying action of these two States evinces the importance of settling a definitive plan by Congress. It is probable that every State will cordially respond to such plan and sustain the credit of this Government. The great advantages to be derived from this guaranty have already been somewhat developed. It is only necessary now to give prominence to two of them—first, the opportunity which it affords of converting an 8 per cent. into a 6 per cent. debt, and, secondly, the premium which can be realized on the sale of the bonds. The former will enable the Government to estab-

*For resolutions of General Assembly of Alabama, see December 1, 1862, p. 219. The South Carolina document not found.

lish a loan on the principle already explained, and the latter will place in its hands ample means to call in the redundancy of Treasury notes after the 1st of July next, and to sustain the credit of its 8 per cent. securities or to purchase them. Assuming that the States may be induced to extend their guaranty to $500,000,000, I propose to adjust the debt upon the plan of the $100,000,000 loan, so as to insure its discharge within a given period. The length of this period depends upon the sum which Congress will devote to the annual payments. The commencement of the period or the date at which the first payment is to be made is, of course, within the control of Congress, and involves the same inquiry as to the amount now to be raised by taxes. A postponement of this first payment of principal would seem to allow a diminution of the tax. But it must be observed that some considerable time must elapse before the guaranty of the States can be had, and further time must then be consumed in carrying the plan into execution and in procuring the terms of the sales. During all this period the 8 per cent. and 7.30 notes are outstanding and will absorb nearly as much more money as will afterward be required to meet the first annual payments on the principal. Besides this it cannot be too strongly urged that the present is the appropriate moment at which to commence a proper system of taxes. The patriotism of the country is now fully aroused. The duty of contributing largely to the support of the Government is generally recognized. The large amount of money in circulation will make the payment easy, and the payment itself will aid the tax-payer by reducing prices to their proper condition. Before leaving this subject I would respectfully submit that there is another plan for arranging the debt in installments, which would produce the same results. It is by issuing all the bonds in the usual form, payable at the same date, and attaching to them a condition that the Secretary of the Treasury shall annually or semi-annually, by lot, designate a certain portion to be paid off. If these annual payments were arranged on the same principle which governs the $100,000,000 loan and were made equally obligatory upon the Government, the result would be the same. A reference to a few details will conclude all I have to say on this subject.

With my last report was submitted a report from the War-Tax Office, to which I request your attention, particularly to the observations in relation to a uniform tax on slaves. It is proper also to make provision for a more equal assessment of property in each State. A commission of a certain number of the tax collectors from the various portions of each State should be appointed to meet and adjust the rate at which the various kinds of property should be assessed. It seems to me also that the entire machinery of assessors provided by the last act can be dispensed with by charging the duties of the assessors on the district collectors and increasing their salaries. Exceptions may be made in case of large cities. This defect in salaries attaches to the entire arrangement of the last act. It is not a wise policy to confide large money arrangements to officers who are badly paid. The patriotism of the officers induced them during the last year to accept the offices with the small salaries allowed, but it would be neither wise nor just to ask a repetition of the sacrifice. The issuing of Treasury notes and the transfer of them to the various depositories, with the arrangements at those depositories for their receipt, custody, and disposal, have grown into some of the most important functions of this Department.

The engraving, printing, and preparing the notes involved great responsibilities and still larger expense, and I must again urge upon Congress the expediency of creating for this branch a separate bureau. The necessities of the times compel the transfer of the printing establishments to Columbia. It seemed a better policy to encourage private competition and enterprise rather than undertake to carry on mechanical work by the Government. The engraving and printing, together with the manufacture of paper, have all been done by contract; but the handling of the notes after they are printed, and the trimming, numbering, and signing them, require a large number of clerks. I have been obliged greatly to increase the number under the authority of the act of March 7, 1861, and the whole number is now 262, of whom 139 are ladies. I ventured upon the employment of the latter under the belief that they would be found diligent and efficient, and that Congress would approve the relief which was thereby extended to a large portion of the most loyal suffering and deserving of our countrywomen. In arranging their duties I reduced the time and work required below the rate required of men and made a proportionate reduction of salary. The plan has been found to work well.

When it is considered that this very large branch of the business of the Treasury is without an appropriate head and must be superintended in all its details, as matters now stand, before the Secretary himself, it will, I trust, be deemed reasonable to establish a separate bureau for its administration. I am bound by a sense of public duty again to say that it would conduce more to the public interest to dispense with most of this agency and have the signatures to the notes engraved and printed. Experience proves that any signature is readily imitated; that the signatures of the same writers vary so much as to afford no adequate guide, and that where so many signers are employed it is impossible to inform the community either as to their names or signatures. The written signatures, therefore, furnish no better security than the engraved. The issue and deposit of Treasury notes and the very large disbursements now made for the war have changed the entire character of the treasuries and depositories. Those at Richmond, Charleston, Montgomery, and Jackson have become large banks, and the number of clerks and the salaries of both officers and clerks are wholly inadequate. The assistant treasurer at Charleston has a salary of $2,500, and the clerks at each office are limited to $1,200. The teller in a bank receives as much for his salary as is now paid to the assistant treasurer at Charleston. That officer has for some time desired to resign, and for two months I have been seeking without success a proper successor. I have also been unable to procure competent clerks at the salaries prescribed and have been obliged to add to the sum. Congress may judge of the importance of these officers when they are informed that $5,000,000 or $6,000,000 are frequently in their hands on deposit. These officers, moreover, are made responsible for the acts of the clerks under them, a liability which under present circumstances no responsible party is willing to take. Unless these difficulties are corrected it will be difficult to retain the present incumbents and almost impossible to procure proper successors.

The collection of the produce loan, together with the purchase of produce under the act of 21st of April, 1862, has been prosecuted with vigor. The total amount of subscriptions to the loan valued in money is about $25,000,000, of which $7,631,044 have been collected at an expense of one-third of 1 per cent.

The purchases of cotton thus far reported by the agents amounts to 69,507 bales, costing $4,474,400. These purchases at the present moment have probably reached 250,000 bales, including those of which reports are on the way. In order to dispose of the cotton two forms of certificates have been devised. By one the specific parcel of cotton is identified and disposed of; by the other the Government obligates itself to deliver certain quantities at certain points at a fixed price. By the advice of our ministers abroad some of the latter certificates, covering about 30,000 bales of cotton, have been placed as an experiment in the foreign markets, but sufficient time has not elapsed to hear from them. The details of this branch of the Department are set forth in the report of the clerk in charge, to which your attention is invited. The important and responsible duties intrusted to this clerk render it proper that his office should be placed on a level with other branches in the Department. I would therefore respectfully recommend that the office be raised to the grade of a chief clerkship. The collated returns of the war tax have not been completely made in all the States. The report of the chief clerk in charge of this Bureau is so full and distinct upon the several points to which attention is due that I cannot do better than refer you to a copy thereof, which is herewith presented. The question that has arisen between the Governor of Tennessee and the Department is a mere question of estimate; but as it involves a large sum, the Secretary would respectfully ask the direction of Congress as to some proper mode of adjusting the difference. The liberal manner in which the State has acted under the circumstances may induce Congress to adopt an estimate which the Secretary would not feel himself empowered to accept. The suspension of the collection in several parts of other States is also submitted specifically to the attention of Congress in order that further instructions may be given. In relation to the State of South Carolina, it should be remarked that the Governor has directed the tax to be collected by the State tax collectors wherever practicable and the amount to be paid over to the Confederate Government. The legislation which will be required to carry into effect the several matters recommended in this report is the following:

1. An act limiting the period for funding the Treasury notes bearing date prior to the 1st of December, 1862.
2. Authority to issue a sufficient amount of Treasury notes to pay the appropriations required for the support of the Government to the 1st of July next.
3. Authority to issue bonds and stock sufficient to fund the notes already issued, entitled to be funded at 8 per cent., and those hereafter to be funded at 7 per cent.
4. A call upon the States to guarantee the war debt upon a plan to issue 6 per cent. bonds payable in installments in twenty-five years upon the plan of the $100,000,000 loan.
5. A modification of the loan act of April, 1862, by reducing the time to five years within which the Government may redeem the bonds.
6. A war tax upon property and income.
7. The appropriation act.
8. The organization of a bureau in charge of the issue of Treasury notes.
9. Increase of the salaries of the assistant treasurers and depositaries and their clerks.

All of which is respectfully submitted.

C. G. MEMMINGER,
Secretary of the Treasury.

[Inclosure.]

WAR-TAX BUREAU, TREASURY DEPARTMENT,
January 6, 1863.

Hon. C. G. MEMMINGER,
Secretary of the Treasury:

In obedience to your directions I have the honor to submit the following report in reference to the operations and results of the war tax:

There are thirteen Confederate States subject to the tax, but all proceedings in relation to its collection in the States of Kentucky and Missouri, for obvious reasons, were suspended by you, and the suspension was afterward confirmed by act of Congress, approved April 19, 1862, and consequently no collections have been made in either of those States. Out of the eleven remaining States the Legislatures of all, except Mississippi and Texas, have assumed the tax. Owing to circumstances growing out of a state of war, and the invasion and occupancy of various portions of the Confederate States by the public enemy, the operations under the act of 19th of August, 1861, have been very much retarded, and in some particular sections it has been entirely impracticable to effect the necessary organization of officers to assess property. For these reasons it is impossible to make a full and satisfactory report of the true results of the present system, or to exhibit the aggregate amount and value of property in the eleven Confederate States and the tax derivable therefrom. I propose, however, to give as accurate a report of the operations under the law in each State as the materials at hand will admit, to which will be appended various tables, showing the aggregate amount of each species of property taxed in each of the States, the value of that property, and the amount of taxes assessed thereon; also the amounts paid by or collected in each State, with a column showing the balance due or amount overpaid. The States will be noticed in alphabetical order and as they appear in the annexed Table A.

1. *Alabama.*—For this State a chief collector was duly appointed and commissioned, but before he had completed the organization of sub-officers, and had made the necessary distribution of forms and instructions, Huntsville, the place of his residence, was captured by the enemy, and the chief collector, as he represents, very narrowly escaped himself, leaving his family and all his papers and official documents within the lines and power of the enemy. And being thus expelled from his home and cut off from all communication with his family, or access to his office and papers, and being harassed in body and mind, he did very little or nothing toward the further prosecution of his duties, and consequently several officers who had been appointed resigned or refused to qualify; others failed to act for want of forms and instructions, and the whole business fell into confusion. It was supposed that the work was regularly progressing at the time this state of facts was brought to the knowledge of the Department, when measures were immediately adopted to effect a reorganization and set the machinery again in motion. With this view I was sent to Montgomery about the last of June, and after conference with the Governor of Alabama Mr. Bradley, the chief collector, was induced to resign, and Judge Martin was appointed his successor. The State Legislature had some time before that assumed the tax and advanced as a payment $2,000,000. Many of the collector's offices had become vacant, and some had never been filled at all. There was then no

provision for the compensation of collectors where the tax had been assumed by the State, and the chief collector found great difficulty in procuring the services of competent collectors, and the result was tardiness and delays, which have prevented him from furnishing, as yet, a collated list of all the assessments in the State, whereby the true amount of tax might be ascertained. An estimate has, however, been made, liberal to the State, in deference to the opinion of Governor Shorter, by which the tax is set down at $2,000,000. Deducting 10 per cent. from this amount, the net tax will be, according to this estimate, $1,800,000. This is, however, all guesswork, and I am inclined to the opinion that if the property of the State is faithfully assessed the sum paid will not much exceed, if anything, the net amount due. At any rate, there seems to be no necessity for legislation until the full returns are received.

2. *Arkansas.*—This State was subdivided into fifty-five collection districts, and of that number actual returns have been received and reported by the chief collector from forty districts, leaving fifteen not yet reported. The chief collector thinks returns will be received from a number of these, but others being occupied by the enemy, or disturbed by the operations of war, will not be reported at all. From the returns actually received, and an approximate estimate for the remaining districts, the whole tax of the State will be $725,000, and after deducting the 10 per cent. the quota of the State will be $652,500. Of this amount $400,000 has been paid, leaving a balance of $252,500. The invasion of the State and interference by military operations have prevented the chief collector from completing his collated list. I do not know that the Legislature has assumed the tax, having no official notice to that effect, but it has been virtually assumed by the Executive in the payment of the above-mentioned sum. It may be proper to state that this sum was paid to General Hindman's quartermaster. The payment was irregular; but the error has been corrected by a requisition at your request from the Secretary of War for the amount, upon which a draft is to be issued in favor of said quartermaster, and when indorsed by him will be placed on the Treasurer's books to the credit of the State as a payment on the war tax. The arrangement has not been completed, and for this reason the credit does not appear on the Treasurer's books.

3. *Florida.*—In this State the operations of assessment were interrupted, and in some sections entirely thwarted by the enemy; yet the property of the State has been regularly assessed and returned, except that of the Fourteenth district, composed of the counties of Duval and Clay, and of the Fifteenth, embracing the county of Saint John's. Owing to the continued occupation of these counties by the enemy no returns from them are anticipated, so the full amount of the State's quota, as taken from the chief collector's final report, is $251,233.19, and after deducting the 10 per cent. the net amount of tax is $226,109.88, of which has been paid into the Treasury $225,574.11, leaving a balance of $735.77.

4. *Georgia.*—All the districts of this State were assessed in due time, and the chief collector's collated list has long since been received. In this list the chief collector has not shown the number of acres of land, the number of slaves, &c., but merely shows the aggregate values of the different species of property in each district; hence I have not been able to ascertain the average values, as in other States. The whole amount of tax assessed is $2,771,236.01. The net tax after deducting 10 per cent. is $2,494,112.41, of which

has been paid into the Treasury $2,477,218.18, leaving a balance still due of $16,894.23.

5. *Louisiana.*—In this State the organization was pretty well completed and assessments were progressing satisfactorily, when the fall of New Orleans threw matters into confusion and rendered it necessary for the chief collector, who resided there, to remove with his records and papers to a safer locality, which occasioned considerable delay in the progress of the work. Nevertheless, with great energy and perseverance, Mr. Lusher, the chief collector, prosecuted his labors and finally succeeded in having all the districts assessed; but the interruptions and delays to which he has been subjected have prevented him from forwarding a complete collated list. During the recent session of Congress, however, he presented a statement of actual returns from nearly all the districts, and for the few remaining an approximate estimate, based upon State documents, by which it was shown that the liberal advance made by Governor Moore of $2,500,000 would probably overpay the State's quota by $74,000, which was refunded to the State's agent by authority of an act of Congress. The whole matter will be subject to adjustment according to the true amount found to be due when full returns of assessment are received by the Department.

6. *North Carolina.*—Notwithstanding the invasion of large portions of this State, and the consequent destruction and deportation of property by the enemy, the organization for ascertaining the amount of taxable property was perfected with commendable dispatch, and all the counties were duly assessed and returned at an early period. Before the true amount was ascertained the State advanced $1,400,000. The whole amount of net tax was afterward shown to be $1,288,825.31, which was overpaid by the sum of $111,174.69, which was refunded to the State by act of Congress, as in the case of Louisiana. So this constitutes a final settlement between the State and the Confederate States.

7. *South Carolina.*—All the districts and parishes in this State were in like manner assessed, but several parishes contiguous to the sea and navigable waters near the coast have been subjected to the invasion and depredations of the enemy. For this reason Governor Pickens claimed exemption, by virtue of the act of 19th of April, 1862, for the following parishes, to wit: All Saints, Saint George's, Winyaw, Saint Helena, Saint John's, Colleton, Saint Andrew's, Saint Luke's, and Saint James' Santee, and a deduction from the ascertained quota of the State of the full amount of taxes assessed in these parishes. After a prolonged correspondence with the Governor, in which he was urged to relinquish his demand and pay up the full quota, he declined, and insisted upon the exemption, and as the tax books had been turned over to the State authorities, and the Confederate collectors had been discharged, there was no other alternative left than to acquiesce in his demand, with the understanding that all moneys collected in these parishes should be paid over to the Confederate States. The whole amount of taxes assessed in the State, after deducting 10 per cent., is $1,798,076.52. There has been paid by the State $1,651,525.55, leaving a balance of $146,547.97, being a sum less than the amount of assessments in the exempted parishes after deducting 10 per cent. therefrom. The sum assessed on these parishes less 10 per cent. is $151,995.60, the difference against the Government being $5,447.63. It is for Congress to determine the basis of final settlement between the State and the Confederate

States. As appropriate to this subject I deem it proper to call your attention to the following views of Joseph D. Pope, esq., chief collector for that State, as expressed in a letter to your address, dated the 1st of November last. He says:

> My individual judgment is that the parishes named are not in such condition as was contemplated by the exemption act of Congress; but the terms of the act are so general and broad that they may cover anything that the President of the Confederate States may agree to. It seems to me, if I understand the act, that unless the President agrees that these parishes shall be exempted, that the State must pay. Many of the people of Saint George's and All Saints can pay, and that would be a question between the State and the citizens. The object of the State in assuming the tax at all was to enable her to extend indulgence to those of her citizens who could not pay. For such she would advance the money and rely upon future payment from them. This is as it should be. The indulgence should come from her instead of the Confederate States.

In these views I fully concur, and would further add, that in assuming the tax the State took the jurisdiction of the whole matter of taxation out of the hands of the Government and now exercises exclusive control over it. The whole tax assessed upon the citizens was assumed, without exception or distinction; and it is competent for Congress to remove that suspension which its own exclusive action authorized for future consideration, and to require the State to pay her full quota without abatement, as the other States have done.

8. *Tennessee.*—In this State a chief collector was duly appointed as in the other States; but the appointee, from severe illness, was prevented from immediately qualifying. His recovery was patiently awaited for some time; but finally, continued indisposition rendered it necessary to make a second appointment. This all produced delay, and before the second appointee could qualify and district the State and appoint sub-officers the same was invaded, the capital fell into the hands of the enemy, and such a state of general confusion followed as to render it utterly impracticable to do so, and all further efforts were abandoned. The Legislature, however, passed an act authorizing the Governor to agree with the authorities of the Confederate States upon the amount to be paid by the State of Tennessee as her quota of the war tax, and another act appropriating $2,000,000 for that purpose. Every possible effort has been made through the chief collector to obtain reliable data for estimating the amount due, and from the most reliable information as to the taxable property of the State, derived from State returns and other sources, the Department estimated that the net tax would exceed the sum appropriated by over $200,000. The amount estimated is $2,450,000, less 10 per cent., making the sum of $2,205,000 net tax. This amount was long since proposed to the Governor. The Governor proposes a sum so much smaller than your estimate, to wit, about $1,500,000, that it is not likely to be agreed to. It will, therefore, devolve upon Congress and the Legislature of Tennessee to settle the amount to be paid, or to prescribe some mode of settlement. The Governor has paid into the Treasury $1,030,069.25, and the chief collector, Doctor Ramsey, has informed you that the Governor has ordered an additional payment to be made of $400,000, making in the aggregate $1,430,069.25.

9. *Virginia.*—There are in this State 149 counties and 11 cities, constituting as many collection districts. Ninety-seven counties and 9 cities have been assessed and returned, leaving 52 counties and 2 cities (Alexandria and Wheeling) which have not been assessed or returned. In the northwestern counties, for apparent reasons, no attempt has been made to appoint officers or to procure assessments.

In other counties in the eastern part of the State, where the people are loyal and patriotic, collectors were appointed and had given their bonds; but before the assessors had entered upon their duties the invasion of the enemy arrested further progress. The aggregate amount of assessment returns, as shown by the chief collector's final report, is $548,164,215.91. The tax on this at one-half per cent. is $2,740,821.07, and the net tax after deducting 10 per cent. is $2,466,738.97. The amount paid by the State, as shown by the Treasurer's books, is $2,125,000, leaving a balance of $341,738.97. For the information of Congress, in view of any future legislation in reference to the war tax, I have deemed it proper to present herewith a series of tables prepared by Col. H. T. Garnett, the chief collector, as well as to give a condensed statement of his views and suggestions in reference to the mode of assessing a more uniform value of certain property, which I beg leave to commend as being wise and appropriate, and well worthy the attentive consideration of Congress. The copies of his tables, hereto annexed, are numbered from 1 to 4. Colonel Garnett refers to former suggestions made by him in reference to the danger of rendering the ad valorem system of taxation unjust, unequal, and oppressive, and proceeds to remark upon the impossibility, from divers causes, of approximating a fair distribution of the burdens of taxation upon the principle of rating all property of the same class, &c., at one price or value. That climate, soil, and other causes, especially affecting slave property on the borders adjacent to non-slaveholding territory, all operate to depress or elevate values to such a degree that it is difficult to establish a just rule in the application of one price to all the same class. But in endeavoring to avoid this by giving discretion to a great number of assessors to fix the values of the same class of property in the same region, the result sought to be avoided will not be improved by producing inequality of tax where all the elements which determine values are exactly the same. He then illustrates by referring to the returns of assessors in coterminous counties, where climate, soil, &c., are identical, in which a marked difference in the assessment of slaves is found to exist. For instance, the county of Dinwiddie contains only forty-six more slaves than the county of Essex, but the assessment upon the slaves of Dinwiddie is $521,975 more than that of Essex. This instance he regards as perhaps more glaring than any other to be found in the returns, but believes as a general rule it will obtain throughout. The assessors, having no opportunities of consultation and comparison of views, have produced almost as many variations and inequalities in their assessments as there are districts in the State. The remedy which he suggests is that Congress, composed as it is of representatives from all sections, should take the average of assessments now to be found in the returns from all the States and either agree upon that as a uniform price or value hereafter to control the assessors, or divide the Confederacy either by grand divisions, having reference to soil, climate, and productions, and vary the rate to suit the circumstances of each, or adopt a uniform value in each State to govern the assessors in future.

10. The only remaining States to be considered are Texas and Mississippi, and, as has been stated, the only States in which the war tax is being collected by Confederate officers, all the others having assumed the tax. In Mississippi all the districts in the State have been duly assessed and returned, and the amount of tax thus assessed, as shown by the chief collector's collated list, in the whole State, is $2,240,813.43, and of this amount there has been collected and paid into

the Treasury $2,052,304.96. Suspension of collections has only been asked by the chief collector in one instance, that of the county of Tishomingo, which has long been in the possession of the enemy. Nevertheless, since asking this suspension the collector of that county has deposited with the chief collector about $18,000.

11. *Texas.*—Collated lists of property rendered for assessment of non-rendered property, and property of alien enemies returned by receivers under the sequestration laws, have been received from the chief collector, which show an aggregate valuation of $318,214,621, the tax upon which is $1,653,917.80, the tax upon unrendered property being rated at 1 per cent. There has been collected and paid into the Treasury $1,211,918.21, leaving a balance of $441,999.59.

Some months ago, it will be recollected, that large amounts of spurious Treasury notes were put into circulation, and in the State of Texas it is reported that large sums were paid out for beef-cattle, the consequence of which, in part, has been that several district collectors of the war tax have come into possession of these notes in the prosecution of their collections, and not knowing from whom the notes were received, they have applied through the chief collector to the Department for relief. The chief collector has been informed by the Honorable Secretary that he possessed no authority to allow the collectors credit for these notes in the settlement of their indebtedness to the Government. The result will be that they will be required to make all such sums good unless Congress should grant them relief. It is well known that the larger denominations of these spurious notes were so skillfully executed that ordinary vigilance could not detect them, and as the loss thus falling upon unsuspecting collectors would in some cases not only deprive them of their salaries, but subject them to serious loss besides, I have thought proper to advert to the subject as one which appeals to the justice and liberality of Congress. If an act for their relief should be passed I would suggest the propriety of requiring from each collector claiming its benefit a statement under oath as to the manner in which he obtained possession of such notes, and that he was ignorant that the same were not genuine.

Before closing this report I beg leave through the Honorable Secretary to call the attention of Congress to the following suggestions: And first, as to the necessity of additional legislation in reference to the redemption of real property sold for taxes under section 12, act of 19th of August, 1861, and as to the mode and manner of refunding purchase money after the lands have been redeemed. Under the section named the owners, their heirs, &c., shall have liberty to redeem any lands and other real property sold for taxes within two years from the time of sale upon payment to the collector for the use of the purchaser, his heirs, &c., of the amount paid by such purchaser, with interest for same at the rate of 20 per centum per annum. The third proviso of same section provides that when the owner shall be in the military service he shall have the same privilege within two years after the close of his term of service. The collector of the district in which the property is sold is the officer intrusted with the execution of these provisions, and under the act becomes the trustee of the purchaser to the amount of purchase money received, but the act is silent as to what disposition he shall make of it—whether he shall pay it over to the purchaser himself or to the chief collector. But the office of chief collector must expire and become vacated long before the time of redemption will expire. When the chief collector's office is vacant there is no one designated to receive money from the collector, for all his transactions must be through the chief

collector. Under the act all the official dealings of the Department are confined to the chief collector. The collector's functions will also expire before the time of redemption, and in that event there will be no officer at all to receive redemption money.

It is therefore obvious that Congress should make provision for these emergencies, and designate some officer to whom owners may apply for the redemption of their property at any time within the period allowed by law, and also direct what disposition such officer shall make of such funds. If the present system of taxation be continued, then the new officers would stand in place of the old and continue their duties. It would seem right and proper to authorize the trustee to settle with the owner near his home, without compelling him to go through all the forms and delay of drawing his money from the Treasury.

Judge Handy, chief collector of Mississippi, represents that the collectors of that State have almost uniformly presented for his approval accounts for postage on letters and tax books sent to him, and for express charges upon assessment and receipt books; also accounts for traveling expenses to and from his office to make their paymen's as required by instructions. He properly decided that the present law did not provide for the allowance of such incidental expenses to the collectors. He further states that the expense of travel to make deposits by those collectors living at a remote distance has been onerous, and, if not refunded to them, will render the real compensation very unequal to those residing near him. It would seem to me just and proper to provide for the payment of all necessary postage and express charges for the transmission of tax and receipt books, and that those living at a distance who have expended large sums traveling to make their deposits should have the amount refunded to them, or each should be allowed a certain amount as mileage to defray these expenses. The same reasons will apply to Texas, but with greater force, by reason of the greater extent of her territory.

Owing to the difficulty and sometimes impossibility of getting suitable persons to act as assessors in certain localities, it has been necessary in a few instances to intrust the duties of assessment to the collector himself; and in such cases, as the law will allow only the compensation of one office, it seems to me that provision should be made authorizing the payment of both the compensation of collector as well as that of assessor, as he performs the duties of both.

In some districts in States that have assumed the war tax no collector has been appointed, and in others he has died or left the office vacant by going into the military service; and in such cases it has been found necessary to appoint what are termed supervising assessors. The authority for this is derived under section 7 of the supplemental act of 19th of December, 1861. These have performed all the duties of collector, and as some doubt exists as to the authority to pay them the compensation of collector it would be well to provide compensation for them by act of Congress.

In view of the probable legislation of Congress in reference to the war tax during the coming session, it would not be inappropriate to advert briefly to the 10 per cent. allowed by the act of 19th of August, 1861, to such States as have assumed the war tax assessed upon their citizens. The presumption is at least reasonable that this per cent. was merely intended as indemnity to cover the expense the States would necessarily incur in collecting the tax from the people, and that no portion of it was granted as a bonus or pecuniary inducement to the States beyond the actual expense of collection. Nor is it

supposed that the object of any State in accepting the offer was to speculate and make money out of the Confederate States, but rather to protect her own citizens from hardship and inconvenience by extending to them that indulgence in the payment of their taxes, where necessary, which the Confederate States could not, in the nature of things, afford to grant. The actual results, however, in the States that have not assumed the tax, and in which the same has been collected by Confederate officers, conclusively show that the per cent. allowed is far greater than was necessary to cover the expense of collection. In the State of Mississippi, for instance, where the net tax is $2,240,813, the actual expense of collection, as shown by the aggregate sum of the salaries of the collectors, is less than $40,000. The total amount assessed in the States which have assumed the tax is $17,057,192, out of which $1,705,719 is deducted as the 10 per cent. on that amount, to which add the compensation of the collectors in those States of $400 each, say $220,000, and we find that the average expense of collection in the States that have assumed is $213,968, whilst in the State of Mississippi, as already mentioned, where the tax is collected by Confederate officers, the whole expense does not exceed $40,000, or less than one-fifth of that in the other States.

One of the most cherished and commendable objects of Congress in raising revenue to carry on the war has been to absorb as much as possible the great redundance of circulating currency issued in consequence of the necessities of the war; but the policy of giving the States a heavy premium to assume the tax of their citizens not only involves a positive loss to the Government of considerably over $1,000,000, but seems to be in direct conflict in its results with the policy of reducing the amount of circulating currency, for in some of the States that have assumed the tax their own treasury notes have been issued equal in amount to that assumed, so that the effect is to increase rather than diminish the paper currency of the country. In my humble judgment it is the better policy in every way for the Government to collect its own taxes from the people, who are not only willing but able to pay them.

I would respectfully refer to the present method of settling accounts for expenses of collecting the tax as one involving much unnecessary delay and expense, besides preventing the possibility of keeping an accurate account of the settlement and suspensions. By the system now in use this office is one of registry only, the accounts passing for settlement through the hands of the Auditor and Comptroller, and being filed in the office of the Register without any information of the settlement being conveyed to this office, so that we are absolutely ignorant of the disposition made or to be made of the accounts as they pass from our hands, and unable to supply the information which is daily demanded of us without oscillating perpetually in the other offices. In addition to this a large amount of correspondence is required by this digressive system, and much superfluous labor expended upon its prosecution which might otherwise be avoided. I would therefore earnestly urge upon the Secretary the importance of having a disbursing clerk appointed, who shall be bonded for the faithful performance of his duties, and shall be finally accountable to the Auditor for all settlements. This would insure immediate action upon all accounts, and by devoting all correspondence with regard to the expenditures to his care would enable him, comprehensively and intelligently, to render to the Department a clear and faithful exhibit of the expenses of collection at the same time that he is doing justice to the respective claimants by speedy action upon their accounts.

In conclusion I beg leave to recommend the suggestions contained in my report to the Secretary dated 1st of August, 1862, and especially those in reference to the compensation of collectors in any future act that may be passed; that is, to allow them a given per cent. on such an amount collected, and a diminished per cent. on all sums beyond such amount, thereby offering a personal inducement for a close and rigid collection of all the taxes assessed.

Respectfully submitted.

T. ALLAN,
Chief Clerk of War Tax.

TABLE A.

	Real estate.	Slaves.	Merchandise.	Bank stock.	Railroad and other corporation stock.	Money at interest.
Alabama *a*	.....	.....	.....	.....	.....	.....
Arkansas *a*	.....	.....	.....	.....	.....	.....
Florida	$15,507,608.00	$24,117,256.00	$746,598.00	$403,537.00	$331,049.00	$6,087,169.00
Georgia	185,185,452.94	236,243,819.83	8,713,671.89	20,259,541.65	8,736,743.50	89,911,139.34
Louisiana *a*	.....	.....	.....	.....	.....	.....
Mississippi	152,626,126.00	227,176,794.00	5,286,247.00	464,311.00	1,463,951.00	53,078,192.00
North Carolina	97,537,424.00	105,467,096.00	3,541,109.00	7,217,892.00	3,303,404.00	60,257,231.00
South Carolina	111,770,934.00	184,598,640.00	5,292,594.00	13,766,632.00	10,459,289.00	64,895,125.00
Tennessee *a*	.....	.....	.....	.....	.....	.....
Texas *b*	124,311,376.00	97,959,814.00	6,665,561.00	.....	3,527,204.00	32,206,181.00
Virginia	257,758,827.50	150,428,722.84	9,883,446.59	14,176,380.00	15,396,742.63	81,776,286.63

	Cash on hand.	Horses, cattle, &c.	Gold watches.	Gold and silver plate.	Pianos.	Pleasure carriages.	Stock not returned by corporations.
Alabama *a*	.....	.....	.....	.....	.....	.....	.....
Arkansas *a*	.....	.....	.....	.....	.....	.....	.....
Florida	$675,300.00	$982,381.00	$142,314.00	$62,062.00	$79,817.00	$274,421.00	$71,049.00
Georgia	5,137,175.64	753,314.63	1,061,480.50	563,164.50	846,984.50	3,351,457.00	*c* 3,410,000.90
Louisiana *a*	.....	.....	.....	.....	.....	.....	.....
Mississippi	2,668,397.00	291,495.00	853,997.00	452,231.00	798,470.00	2,116,805.00	431,424.00
North Carolina	4,611,524.00	345,337.00	534,240.00	268,373.00	475,975.00	1,950,836.00	895,184.00
South Carolina	3,535,471.00	117,014.00	852,273.00	946,029.00	620,635.00	1,577,849.00	1,036,313.00
Tennessee *a*	.....	.....	.....	.....	.....	.....	.....
Texas *b*	2,667,412.00	34,046,502.00	619,426.00	128,839.00	395,974.00	1,341,021.00	.....
Virginia	8,182,559.06	3,508,083.63	893,979.50	743,766.43	821,425.00	2,138,334.25	2,455,661.85

	Aggregate.	Tax, one-half per cent.	Net tax.	Amount paid in Treasury to Dec. 1, 1862.	Balance due.
Alabama *a*	$400,000,000.00	$2,000,000.00	$1,800,000.00	$2,000,000.00	*d* $200,000.00
Arkansas *a*	145,000,000.00	725,000.00	652,500.00	400,000.00	252,500.00
Florida	49,480,561.00	*e* 251,233.19	226,109.88	225,374.11	735.77
Georgia	564,174,036.00	*f* 2,771,236.01	2,494,112.41	2,477,218.18	16,894.23
Louisiana *a*	539,111,240.00	2,695,556.20	2,426,000.58	2,426,000.00	.58
Mississippi	447,708,440.00	*g* 2,240,813.41½	2,240,813.41	2,052,304.96	188,508.45
North Carolina	286,405,625.00	1,432,028.12	1,288,825.31	1,288,825.31	.....
South Carolina	399,468,798.00	1,997,343.99	*e* 1,798,076.52	1,651,528.55	146,547.97
Tennessee *a*	490,000,000.00	2,450,000.00	2,205,000.00	1,030,069.25	1,174,930.75
Texas *b*	303,869,310.00	1,519,346.55	1,519,346.55	1,211,918.21	307,428.34
Virginia	548,164,215.91	2,740,821.07	2,466,738.97	2,125,000.00	341,738.97

a No assessment returns having been received from these States, their aggregates are, respectively, based upon estimates.
b The return for Texas does not include the tax upon sequestered or non-rendered property, which will yield an additional estimated revenue of $134,571.25.
c Default list.
d Overpaid estimate.
e Double tax included.
f After deducting for errors, as appears by report of chief collector.
g Including tax on additional uncollected return.

TABLE B.—*Showing the average values of certain kinds of property as assessed and returned in the several States under the war-tax act of August 19, 1861.*

States.	Real estate.[a]	Slaves.[b]	Horses, cattle, &c.	Gold watches.	Pianos.	Pleasure carriages.
Alabama						
Arkansas						
Florida	$4.98	$437.08	$5.54	$72.68	$187.36	$96.11
Georgia						
Louisiana						
Mississippi						
North Carolina	3.45	326.83		82.68	197.74	74.17
South Carolina	6.69	452.79	28.87	70.80	173.79	79.64
Tennessee						
Texas	2.09	516.13	10.85	76.84	217.56	123.64
Virginia	10.12	350.00	25.50	57.60	133.67	73.33
General average	5.46	416.56	17.69	72.12	182.02	89.37

[a] Per acre. [b] Per capita.

Colonel Garnett's tables in reference to Virginia.

TABLE NO. 1.—*Exhibiting total value of real estate and personal property in the State of Virginia in the year 1860, the total value in the districts now assessed in the same year, and the total amount actually assessed by war-tax assessors in 1861; also the amount remaining unassessed, supposed to be caused by the exceptions of the war-tax act, such as Confederate bonds and estates of less value than $500, &c.*

Total value of real and personal property in the State of Virginia in the year 1860	$934,261,305.00
Total value of ditto in the districts now assessed in the same year (1860)	772,121,746.00
Total value of ditto in the unassessed districts	162,139,559.00
Total value, as above, of assessed districts	772,121,746.00
Total war-tax assessments	548,164,263.00
Exemptions by war-tax act	223,957,483.00

H. T. GARNETT,
Chief Collector C. S. War Tax for Virginia.

TABLE NO. 2.—*Exhibiting the total values of real and personal property in the districts now assessed in the year 1860; the amount actually assessed by war-tax assessors in 1861; total of the tax at one-half of one per cent.*

Total value of real and personal property in the assessed districts in 1860	$772,121,746.00
Total value of ditto actually assessed by war-tax assessors, 1861	548,164,263.00
Total of tax at one-half of one per cent	2,740,821.00

H. T. GARNETT,
Chief Collector C. S. War Tax for Virginia.

TABLE NO. 3.—*Exhibiting total value of real and personal property in the districts unassessed in the year 1860; the total estimated amount of the assessment under the war-tax act, had it been made, being in exact proportion in these as the actual assessment exhibits in the assessed districts; also the tax upon this estimate at one-half of one per cent.*

Total value of real and personal property in the districts unassessed in 1860	$162,139,559.00
Total estimated value had assessment been made by war-tax assessors in 1860	115,239,743.00
Total tax upon this estimate at one-half of one per cent	576,198.00

H. T. GARNETT,
Chief Collector C. S. War Tax for Virginia.

TABLE No. 4.—*Exhibiting the total population of the State by the census of 1860; total population of the districts assessed by war-tax assessors 1861, and the total population of districts not assessed.*

Total population, white, free, colored, and slave in State of Virginia by census of 1860	1,595,814
Total in districts assessed for war tax, 1861	1,201,331
Total in districts unassessed for war tax, 1861	394,483

H. T. GARNETT,
Chief Collector C. S. War Tax for Virginia.

[JANUARY 10, 1863.—For Shorter to Davis, in relation to affairs in Alabama, see Series I, Vol. XV, p. 939.]

[JANUARY 10, 1863.—For Lee to Seddon, representing the absolute necessity of increasing the Confederate armies, &c., see Series I, Vol. XXI, p. 1085.]

[JANUARY 10, 1863.—For Seddon to Pettus, in relation to conscripts in Mississippi State organizations, see Series I, Vol. LII, Part II, p. 405.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., January 10, 1863.

Col. D. J. GODWIN,
Enrolling Officer:

SIR: I have just received yours of the 7th instant. Your course so far appears judicious, and is approved. You will do well to let the company proposed to be raised by Mr. Clopton be constituted, whether of conscripts or others, as soon as possible. Also, let Captain Littleton's command be filled up, and I have authorized the Rev. Mr. Allen (formerly a preacher in Gloucester County), who has a half-formed company in Caroline, to complete, if he can, his company out of conscripts or others in Mathews or Gloucester. I regard your position and the course to be pursued by you as rather exceptional, and have so instructed the Conscript Bureau, established since you left, with General Rains at its head, through which, however, you will report, and receive hereafter any instructions. The conscripts in Gloucester and Mathews, and perhaps in several other neighboring counties of the Northern Neck, are not strictly within the enemy's lines, yet so subject to their control or interference as to render the regular enforcement of the conscript law in relation to them almost impossible. I therefore authorize you to engage them in service or get them out to our camps of instruction in the readiest and most efficient way practicable. As soon as you have organized any company or companies you will employ them to aid in enrolling and sending out all others liable to conscription, and at the same time to repress turbulence or disorder among the slaves or others, and to intimidate and restrain the depredations of the enemy.

Your action in regard to the blockade-runners involves delicate discretion, and must be regulated by your best judgment. All trade with the enemy is demoralizing and illegal, and should, of course, be discountenanced, but at the same time, situated as the people to a

serious extent are, beyond the power of active protection by us, and cut off from supplies through their regular avenues of trade (almost entirely by water or the railroad) by the enemy, some barter or trading for the supply of their necessities is almost inevitable and excusable. As far as there is any effort to establish a general trade with the enemy, especially with articles such as tobacco and naval stores, specially prohibited to be sold to the North, it should be stopped. The rule I have adopted and generally acted on has been to give no permits or license to trade with the enemy, but that when goods were seized by the military to have such as were available for the Army selected and paid for at a moderate valuation not exceeding an allowance of 75 per cent. profit on cost to the owner, and the rest left to his own disposition, unless the Secretary of the Treasury intervened to claim them as forfeited, which so far he has never done. This course you may continue to pursue when you have no special reason to suppose the parties spies, or so disloyal as to be dangerous characters, in which event they should be sent to Richmond, to General Winder, with a report of the causes and grounds of suspicion. Should there be among the parties so found trading any by their nativity and age liable to conscription, they should be detained and sent forward as conscripts. Marylanders are not liable to conscription, and of course could not properly be detained.

Respectfully, yours,

JAMES A. SEDDON,
Secretary of War.

NASSAU, NEW PROVIDENCE, *January 10, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

SIR: My last communications to the War Department were under date of the 12th and 14th ultimo, in original and duplicate, per steamers Antonica, Leopard, and Giraffe, since which I have learned through the public papers that you have been assigned by the President to the post made vacant by the resignation of the Hon. G. W. Randolph. Not having the pleasure of a personal acquaintance, I must refer you to your predecessor and to the Hon. J. P. Benjamin for any information you may desire in relation to the duties of this post, besides which my correspondence on file will apprise you of the course I have pursued as Government agent since my arrival here.

The greater portion of the goods belonging to Government have been shipped, with the exception of the field artillery, which I declined to send forward, under the impression that it was not greatly needed at home. On this head I would refer to my letters of the 12th November and 26th July last, and will await your instructions. I have on hand 230 boxes and packages steel, under orders to be sent to Capt. F. L. Childs, Charleston Arsenal; some 200 boxes fixed ammunition, and a quantity of lead, portions of which I should have dispatched by this conveyance but for a sudden advance in the rate of freight that hardly justified me to ship without conferring with you on the subject. Hitherto the price has been $500 Confederate currency per ton, payable on arrival of the goods, whereas now it has been fixed at £60 per ton, payable here in advance. This is equivalent to fully $900 at home, and to be paid, moreover, whether the goods arrive or not. I think it quite possible that some modification of these terms

can be obtained from Messrs. Fraser, Trenholm & Co., or rather John Fraser & Co., and at all events deem it advisable to await a communication from you. The Antonica is to leave to-morrow morning with a valuable cargo, comprising in part army shoes, woolens, medicines, iron plates, &c., and will be followed by the Douglas in three days with a similar cargo. The Thistle is to leave about the same time with an equally desirable assortment, and during the next ten days I expect the Nicolai I, the Dauro, and the Calypso will get off, all three having large supplies of needful articles. There are several more steamers due from England, including the Flora, Ruby, Eagle, Pearl, and two others, names not mentioned. I am told that the Calypso has 148 cases army shoes for Government, but have received no advices from England. As she draws too much water, she may have to discharge part of her cargo, and it would be better, perhaps, to send some of this shipment by another and faster steamer.

I shall be pleased to execute any orders you may transmit, and remain, very respectfully, your obedient servant,

L. HEYLIGER,
Agent Confederate States of America.

[JANUARY 11, 1863.—For Seddon to Vance, recommending a call of North Carolina militia to the extent of, say, 5,000, see Series I, Vol. XVIII, p. 840.]

RICHMOND, *January 12, 1863.*

THE SENATE AND HOUSE OF REPRESENTATIVES OF THE CONFEDERATE STATES:

At the date of your last adjournment the preparations of the enemy for further hostilities had assumed so menacing an aspect as to excite in some minds apprehension of our ability to meet them with sufficient promptness to avoid serious reverses. These preparations were completed shortly after your departure from the seat of government, and the armies of the United States made simultaneous advance on our frontiers, on the Western rivers, and on the Atlantic Coast, in masses so great as to evince their hope of overbearing all resistance by mere weight of numbers. This hope, however, like those previously entertained by our foes, has vanished. In Virginia their fourth attempt at invasion by armies whose assured success was confidently predicted, has met with decisive repulse. Our noble defenders, under the consummate leadership of their general, have again, at Fredericksburg, inflicted on the forces under General Burnside the like disastrous overthrow as had been previously suffered by the successive invading armies commanded by Generals McDowell, McClellan, and Pope.

In the West obstinate battles have been fought with varying fortunes, marked by frightful carnage on both sides; but the enemy's hopes of decisive results have again been baffled, while at Vicksburg another formidable expedition has been repulsed with considerable loss on our side and severe damage to the assailing forces. On the Atlantic Coast the enemy has been unable to gain a footing beyond the protecting shelter of his fleets, and the city of Galveston has just been recovered by our forces, which succeeded not only in the capture of the garrison, but of one of the enemy's vessels of war, which

was carried by boarding parties from merchant river steamers. Our fortified positions have everywhere been much strengthened and improved, affording assurance of our ability to meet with success the utmost efforts of our enemies, in spite of the magnitude of their preparations for attack.

A review of our history during the two years of our national existence affords ample cause for congratulation and demands the most fervent expression of our thankfulness to the Almighty Father, who has blessed our cause. We are justified in asserting, with a pride surely not unbecoming, that these Confederate States have added another to the lessons taught by history for the instruction of man; that they have afforded another example of the impossibility of subjugating a people determined to be free, and have demonstrated that no superiority of numbers or available resources can overcome the resistance offered by such valor in combat, such constancy under suffering, and such cheerful endurance of privation as have been conspicuously displayed by this people in the defense of their rights and liberties. The anticipations with which we entered into the contest have now ripened into a conviction which is not only shared with us by the common opinion of neutral nations, but is evidently forcing itself upon our enemies themselves. If we but mark the history of the present year by resolute perseverance in the path we have hitherto pursued, by vigorous effort in the development of all our resources for defense, and by the continued exhibition of the same unfaltering courage in our soldiers and able conduct in their leaders as have distinguished the past, we have every reason to expect that this will be the closing year of the war. The war, which in its inception was waged for forcing us back into the Union, having failed to accomplish that purpose, passed into a second stage, in which it was attempted to conquer and rule these States as dependent provinces. Defeated in this second design, our enemies have evidently entered upon another, which can have no other purpose than revenge and thirst for blood and plunder of private property. But however implacable they may be, they can have neither the spirit nor the resources required for a fourth year of a struggle uncheered by any hope of success, kept alive solely for the indulgence of mercenary and wicked passions, and demanding so exhaustive an expenditure of blood and money as has hitherto been imposed on their people. The advent of peace will be hailed with joy. Our desire for it has never been concealed. Our efforts to avoid the war, forced on us as it was by the lust of conquest and the insane passions of our foes, are known to mankind. But earnest as has been our wish for peace and great as have been our sacrifices and sufferings during the war, the determination of this people has with each succeeding month become more unalterably fixed to endure any sufferings and continue any sacrifices, however prolonged, until their right to self-government and the sovereignty and independence of these States shall have been triumphantly vindicated and firmly established.

In this connection the occasion seems not unsuitable for some reference to the relations between the Confederacy and the neutral powers of Europe since the separation of these States from the former Union. Four of the States now members of the Confederacy were recognized by name as independent sovereignties in a treaty of peace concluded in the year 1783 with one of the two great maritime powers of Western Europe, and had been, prior to that period, allies in war

of the other. In the year 1778 they formed a Union with nine other States under Articles of Confederation. Dissatisfied with that Union, three of them, Virginia, South Carolina, and Georgia, together with eight of the States now members of the United States, seceded from it in 1789, and these eleven seceding States formed a second Union, although by the terms of the Articles of Confederation express provision was made that the first Union should be perpetual. Their right to secede, notwithstanding this provision, was neither contested by the States from which they separated nor made the subject of discussion with any third power. When at a later period North Carolina acceded to that second Union, and when, still later, the other sovereign States, now members of this Confederacy, became also members of the same Union, it was upon the recognized footing of equal and independent sovereignties, nor had it then entered into the minds of men that sovereign States could be compelled by force to remain members of a confederation into which they had entered of their own free will, if at a subsequent period the defense of their safety and honor should, in their judgment, justify withdrawal. The experience of the past had evinced the futility of any renunciation of such inherent rights, and accordingly the provision for perpetuity contained in the Articles of Confederation of 1778 was omitted in the Constitution of 1789. When, therefore, in 1861 eleven of the States again thought proper, for reasons satisfactory to themselves, to secede from the second Union and to form a third one under an amended constitution, they exercised a right which, being inherent, required no justification to foreign nations, and which international law did not permit them to question. The usages of intercourse between nations do, however, require that official communication be made to friendly powers of all organic changes in the constitution of States, and there was obvious propriety in giving prompt assurance of our desire to continue amicable relations with all mankind. It was under the influence of these considerations that your predecessors, the Provisional Government, took early measures for sending to Europe commissioners charged with the duty of visiting the capitals of the different powers and making arrangements for the opening of more formal diplomatic intercourse. Prior, however, to the arrival abroad of those commissioners the United States had commenced hostilities against the Confederacy by dispatching a secret expedition for the re-enforcement of Fort Sumter, after an express promise to the contrary, and with a duplicity which has been fully unveiled in a former message. They had also addressed communications to the different cabinets of Europe in which they assumed the attitude of being sovereign over this Confederacy, alleging that these independent States were in rebellion against the remaining States of the Union, and threatening Europe with manifestations of their displeasure if it should treat the Confederate States as having an independent existence. It soon became known that these pretensions were not considered abroad to be as absurd as they were known to be at home, nor had Europe yet learned what reliance was to be placed on the official statements of the Cabinet at Washington.

The delegation of power granted by these States to the Federal Government to represent them in foreign intercourse had led Europe into the grave error of supposing that their separate sovereignty and independence had been merged into one common sovereignty, and had ceased to have a distinct existence. Under the influence of this error, which all appeals to reason and historical fact were vainly used to dispel, our commissioners were met by the declaration that foreign

governments could not assume to judge between the conflicting representations of the two parties as to the true nature of their previous mutual relations. The Governments of Great Britain and France accordingly signified their determination to confine themselves to recognizing the self-evident fact of the existence of a war, and to maintaining a strict neutrality during its progress. Some of the other powers of Europe pursued the same course of policy, and it became apparent that by some understanding, express or tacit, Europe had decided to leave the initiative in all action touching the contest on this continent to the two powers just named, who were recognized to have the largest interests involved, both by reason of proximity and of the extent and intimacy of their commercial relations with the States engaged in war. It is manifest that the course of action adopted by Europe, while based on an apparent refusal to determine the question, or to side with either party, was in point of fact an actual decision against our rights and in favor of the groundless pretensions of the United States. It was a refusal to treat us as an independent government. If we were independent States the refusal to entertain with us the same international intercourse as was maintained with our enemy was unjust, and was injurious in its effects, whatever may have been the motive which prompted it. Neither was it in accordance with the high moral obligations of that international code whose chief sanction is the conscience of sovereigns and the public opinion of mankind, that those eminent powers should decline the performance of a duty peculiarly incumbent on them from any apprehension of the consequences to themselves. One immediate and necessary result of their declining the responsibility of a decision which must have been adverse to the extravagant pretensions of the United States was the prolongation of hostilities to which our enemies were thereby encouraged, and which have resulted in nothing but scenes of carnage and devastation on this continent, and of misery and suffering on the other, such as have scarcely a parallel in history. Had those powers promptly admitted our right to be treated as all other independent nations, none can doubt that the moral effect of such action would have been to dispel the delusion under which the United States have persisted in their efforts to accomplish our subjugation. To the continued hesitation of the same powers in rendering this act of simple justice toward this Confederacy is still due the continuance of the calamities which mankind suffers from the interruption of its peaceful pursuits, both in the Old and the New World.

There are other matters in which less than justice has been rendered to this people by neutral Europe, and undue advantage conferred on the aggressors in a wicked war. At the inception of hostilities the inhabitants of the Confederacy were almost exclusively agriculturists, those of the United States, to a great extent, mechanics and merchants. We had no commercial marine, while their merchant vessels covered the ocean. We were without a navy, while they had powerful fleets. The advantage which they possessed for inflicting injury on our coasts and harbors was thus counterbalanced in some measure by the exposure of their commerce to attack by private armed vessels. It was known to Europe that within a very few years past the United States had peremptorily refused to accede to proposals for abolishing privateering, on the ground, as alleged by them, that nations owning powerful fleets would thereby obtain undue advantage over those possessing inferior naval forces. Yet no sooner was war flagrant between the Confederacy and the United States than the maritime powers of Europe issued orders prohibiting either party

from bringing prizes into their ports. This prohibition, directed with apparent impartiality against both belligerents, was in reality effective against the Confederate States alone, for they alone could find a hostile commerce on the ocean. Merely nominal against the United States, the prohibition operated with intense severity on the Confederacy, by depriving it of the only means of maintaining with some approach to equality its struggle on the ocean against the crushing superiority of naval force possessed by its enemies. The value and efficiency of the weapon which was thus wrested from our grasp by the combined action of neutral European powers in favor of a nation which professes openly its intention of ravaging their commerce by privateers in any future war is strikingly illustrated by the terror inspired among the commercial classes of the United States by a single cruiser of the Confederacy. One national steamer, commanded by officers and manned by a crew who are debarred, by the closure of neutral ports, from the opportunity of causing captured vessels to be condemned in their favor as prizes, has sufficed to double the rates of marine insurance in Northern ports and consign to forced inaction numbers of Northern vessels, in addition to the direct damage inflicted by captures at sea. How difficult, then, to overestimate the effects that must have been produced by the hundreds of private armed vessels that would have swept the seas in pursuit of the commerce of our enemy if the means of disposing of their prizes had not been withheld by the action of neutral Europe.

But it is especially in relation to the so-called blockade of our coast that the policy of European powers has been so shaped as to cause the greatest injury to the Confederacy and to confer signal advantages on the United States. The importance of this subject requires some development. Prior to the year 1856 the principles regulating this subject were to be gathered from the writings of eminent publicists, the decisions of admiralty courts, international treaties, and the usages of nations. The uncertainty and doubt which prevailed in reference to the true rules of maritime law in time of war, resulting from the discordant and often conflicting principles announced from such varied and independent sources, had become a grievous evil to mankind. Whether a blockade was allowable against a port not invested by land as well as by sea; whether a blockade was valid by sea if the investing fleet was merely sufficient to render ingress to the blockaded port "evidently dangerous," or whether it was further required for its legality that it should be sufficient "really to prevent access," and numerous other similar questions had remained doubtful and undecided.

Animated by the highly honorable desire to put an end "to differences of opinion between neutrals and belligerents, which may occasion serious difficulties and even conflicts" (I quote the official language), the five great powers of Europe, together with Sardinia and Turkey, adopted in 1856 the following "solemn declaration" of principles:

1. Privateering is, and remains, abolished.
2. The neutral flag covers enemy's goods with the exception of contraband of war.
3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.
4. Blockades, in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

Not only did this solemn declaration announce to the world the principles to which the signing powers agreed to conform in future wars, but it contained a clause to which those powers gave immediate effect, and which provided that the states not parties to the Congress of Paris should be invited to accede to the declaration. Under this invitation every independent state in Europe yielded its assent—at least, no instance is known to me of a refusal; and the United States, while declining to assent to the proposition which prohibited privateering, declared that the three remaining principles were in entire accordance with their own views of international law. No instance is known in history of the adoption of rules of public law under circumstances of like solemnity, with like unanimity, and pledging the faith of nations with a sanctity so peculiar.

When, therefore, this Confederacy was formed, and when neutral powers, while deferring action on its demand for admission into the family of nations, recognized it as a belligerent power, Great Britain and France made informal proposals about the same time that their own rights as neutrals should be guaranteed by our acceding as belligerents, to the declaration of principles made by the Congress of Paris. The request was addressed to our sense of justice, and therefore met immediate favorable response in the resolutions of the Provisional Congress of the 13th August, 1861, by which all the principles announced by the Congress of Paris were adopted as the guide of our conduct during the war, with the sole exception of that relative to privateering. As the right to make use of privateers was one in which neutral nations had, as to the present war, no interest; as it was a right which the United States had refused to abandon, and which they remained at liberty to employ against us; as it was a right of which we were already in actual enjoyment, and which we could not be expected to renounce *flagrante bello* against an adversary possessing an overwhelming superiority of naval forces, it was reserved with entire confidence that neutral nations could not fail to perceive that just reason existed for the reservation. Nor was this confidence misplaced, for the official documents published by the British Government, usually called "Blue Books," contained the expression of the satisfaction of that Government with the conduct of the officials who conducted successfully the delicate business confided to their charge.

These solemn declarations of principle—this implied agreement between the Confederacy and the two powers just named—have been suffered to remain inoperative against the menaces and outrages on neutral rights committed by the United States with unceasing and progressive arrogance during the whole period of the war. Neutral Europe remained passive when the United States, with a naval force insufficient to blockade effectively the coast of a single State, proclaimed a paper blockade of thousands of miles of coast, extending from the capes of the Chesapeake to those of Florida, and encircling the Gulf of Mexico from Key West to the mouth of the Rio Grande. Compared with this monstrous pretension of the United States, the blockades known in history under the names of the Berlin and Milan decrees and the British orders in council, in the years 1806 and 1807, sink into insignificance. Yet those blockades were justified by the powers that declared them on the sole ground that they were retaliatory; yet those blockades have since been condemned by the publicists of those very powers as violations of international law; yet those blockades evoked angry remonstrances from neutral powers, among which the United States were the most conspicuous; yet those blockades became the chief cause of the war between Great Britain

and the United States in 1812; yet those blockades were one of the principal motives that led to the declaration of the Congress of Paris, in 1856, in the fond hope of imposing an enduring check on the very abuse of maritime power which is now renewed by the United States in 1861 and 1862, under circumstances and with features of aggravated wrong without precedent in history.

The records of our State Department contain the evidence of the repeated and formal remonstrances made by this Government to neutral powers against the recognition of this blockade. It has been shown by evidence not capable of contradiction, and which has been furnished in part by the officials of neutral nations, that the few ports of this Confederacy, before which any naval forces at all have been stationed, have been invested so inefficiently that hundreds of entries have been effected into them since the declaration of the blockade; that our enemies have themselves admitted the inefficiency of their blockade in the most forcible manner by repeated official complaints of the sale to us of goods contraband of war, a sale which could not possibly affect their interests if their pretended blockade was sufficient "really to prevent access to our coast;" that they have gone farther and have alleged their inability to render their paper blockade effective as the excuse for the odious barbarity of destroying the entrance to one of our harbors by sinking vessels loaded with stone in the channel; that our commerce with foreign nations has been intercepted, not by effective investment of our ports, nor by the seizure of ships in the attempt to enter them, but by the capture on the high seas of neutral vessels by the cruisers of our enemies whenever supposed to be bound to any point on our extensive coast, without inquiry whether a single blockading vessel was to be found at such point; that blockading vessels have left the ports at which they were stationed for distant expeditions, have been absent for many days, and have returned without notice either of the cessation or renewal of the blockade; in a word, that every prescription of maritime law and every right of neutral nations to trade with a belligerent, under the sanction of principles heretofore universally respected, have been systematically and persistently violated by the United States. Neutral Europe has received our remonstrances and has submitted in almost unbroken silence to all the wrongs that the United States have chosen to inflict on its commerce. The Cabinet of Great Britain, however, has not confined itself to such implied acquiescence in these breaches of international law as results from simple inaction, but has, in a published dispatch of the Secretary of State for Foreign Affairs, assumed to make a change in the principle enunciated by the Congress of Paris, to which the faith of the British Government was considered to be pledged; a change too important and too prejudicial to the interests of the Confederacy to be overlooked, and against which I have directed solemn protest to be made, after a vain attempt to obtain satisfactory explanations from the British Government. In a published dispatch from Her Majesty's Foreign Office to her minister at Washington under the date of 11th February, 1862, occurs the following passage:

> Her Majesty's Government, however, are of opinion that, assuming that the blockade was duly notified, and also that a number of ships are stationed and remain at the entrance of a port sufficient really to prevent access to it, *or to create an evident danger of entering it or leaving it*, and that these ships do not voluntarily permit ingress or egress, the fact that various ships may have successfully escaped through it (as in the particular instance here referred to) will not of itself prevent the blockade from being an effectual one by international law.

The words which I have italicized are an addition made by the British Government of its own authority to a principle the exact terms of which were settled with deliberation by the common consent of civilized nations and by implied convention with this Government, as already explained, and their effect is clearly to reopen to the prejudice of the Confederacy one of the very disputed questions on the law of blockade which the Congress of Paris professed to settle. The importance of this change is readily illustrated by taking one of our ports as an example. There is "evident danger" in entering the port of Wilmington from the presence of a blockading force, and by this test the blockade is effective. "Access is not really prevented" by the blockading fleet to the same port, for steamers are continually arriving and departing, so that tried by this test the blockade is ineffective and invalid. The justice of our complaint on this point is so manifest as to leave little room for doubt that further reflection will induce the British Government to give us such assurances as will efface the painful impressions that would result from its language if left unexplained.

From the foregoing remarks you will perceive that during nearly two years of struggle, in which every energy of our country has been evoked for maintaining its very existence, the neutral nations of Europe have pursued a policy which, nominally impartial, has been practically most favorable to our enemies and most detrimental to us. The exercise of the neutral right of refusing entry into their ports to prizes taken by both belligerents was eminently hurtful to the Confederacy. It was sternly asserted and maintained. The exercise of the neutral right of commerce with a belligerent whose ports are not blockaded by fleets sufficient really to prevent access to them would have been eminently hurtful to the United States. It was complacently abandoned. The duty of neutral states to receive with cordiality and recognize with respect any new confederation that independent states may think proper to form was too clear to admit of denial, but its postponement was eminently beneficial to the United States and detrimental to the Confederacy. It was postponed.

In this review of our relations with the neutral nations of Europe it has been my purpose to point out distinctly that this Government has no complaint to make that those nations declared their neutrality. It could neither expect nor desire more. The complaint is that the neutrality has been rather nominal than real, and that recognized neutral rights have been alternately asserted and waived in such manner as to bear with great severity on us, and to confer signal advantages on our enemy.

I have hitherto refrained from calling to your attention this condition of our relations with foreign powers for various reasons. The chief of these was the fear that a statement of our just grounds of complaint against a course of policy so injurious to our interests might be misconstrued into an appeal for aid. Unequal as we were in mere numbers and available resources to our enemies, we were conscious of powers of resistance, in relation to which Europe was incredulous, and our remonstrances were therefore peculiarly liable to be misunderstood. Proudly self-reliant, the Confederacy knowing full well the character of the contest into which it was forced, with full trust in the superior qualities of its population, the superior valor of its soldiers, the superior skill of its generals, and above all in the justice of its cause, felt no need to appeal for the maintenance of its rights to other earthly aids, and it began and has continued this struggle with the calm confidence ever inspired in those

who, with consciousness of right, can invoke the Divine blessing on their cause. This confidence has been so assured that we have never yielded to despondency under defeat, nor do we feel undue elation at the present brighter prospect of successful issue to our contest. It is, therefore, because our just grounds of complaint can no longer be misinterpreted that I lay them clearly before you. It seems to me now proper to give you the information, and, although no immediate results may be attained, it is well that truth should be preserved and recorded. It is well that those who are to follow us should understand the full nature and character of the tremendous conflict in which the blood of our people has been poured out like water, and in which they have resisted, unaided, the shock of hosts which would have sufficed to overthrow many of the powers which, by their hesitation in according our rights as an independent nation, imply doubt of our ability to maintain our national existence. It may be, too, that if in future times unfriendly discussions not now anticipated shall unfortunately arise between this Confederacy and some European power, the recollection of our forbearance under the grievances which I have enumerated may be evoked with happy influence in preventing any serious disturbance of peaceful relations.

It would not be proper to close my remarks on the subject of our foreign relations without adverting to the fact that the correspondence between the Cabinets of France, Great Britain, and Russia, recently published, indicate a gratifying advance in the appreciation by those Governments of the true interests of mankind as involved in the war on this continent. It is to the enlightened ruler of the French nation that the public feeling of Europe is indebted for the first official exhibition of its sympathy for the sufferings endured by this people with so much heroism, of its horror at the awful carnage with which the progress of the war has been marked, and of its desire for a speedy peace. The clear and direct intimation contained in the language of the French note, that our ability to maintain our independence has been fully established, was not controverted by the answer of either of the Cabinets to which it was addressed. It is indeed difficult to conceive a just ground for a longer delay on this subject after reading the following statement of facts contained in the letter emanating from the minister of His Imperial Majesty:

> There has been established, from the very beginning of this war, an equilibrium of forces between the belligerents, which has since been almost constantly maintained, and after the spilling of so much blood they are to-day in this respect in a situation which has not sensibly changed. Nothing authorizes the prevision that more decisive military operations will shortly occur. According to the last advices received in Europe, the two armies were, on the contrary, in a condition which permitted neither to hope within a short delay advantages sufficiently marked to turn the balance definitely and to accelerate the conclusion of peace.

As this Government has never professed the intention of conquering the United States, but has simply asserted its ability to defend itself against being conquered by that power, we may safely conclude that the claims of this Confederacy to its just place in the family of nations cannot long be withheld, after so frank and formal an admission of its capacity to cope on equal terms with its aggressive foes, and to maintain itself against their attempts to obtain decisive results by arms.

It is my painful duty again to inform you of the renewed examples of every conceivable atrocity committed by the armed forces of the United States at different points within the Confederacy, and which

must stamp indelible infamy not only on the perpetrators but on their superiors, who, having the power to check these outrages on humanity, numerous and well authenticated as they have been, have not yet in a single instance of which I am aware inflicted punishment on the wrong-doers. Since my last communication to you one General McNeil murdered seven prisoners of war in cold blood, and the demand for his punishment has remained unsatisfied. The Government of the United States, after promising examination and explanation in relation to the charges made against General Benjamin F. Butler, has by its subsequent silence, after repeated efforts on my part to obtain some answer on the subject, not only admitted his guilt but sanctioned it by acquiescence, and I have accordingly branded this criminal as an outlaw, and directed his execution in expiation of his crimes if he should fall into the hands of any of our forces. Recently I have received apparently authentic intelligence of another general by the name of Milroy, who has issued orders in Western Virginia for the payment of money to him by the inhabitants, accompanied by the most savage threats of shooting every recusant, besides burning his house, and threatening similar atrocities against any of our citizens who shall fail to betray their country by giving him prompt notice of the approach of any of our forces, and this subject has also been submitted to the superior military authorities of the United States with but faint hope that they will evince any disapprobation of the act. Humanity shudders at the appalling atrocities which are being daily multiplied under the sanction of those who have obtained temporary possession of power in the United States, and who are fast making its once fair name a byword of reproach among civilized men. Not even the natural indignation inspired by this conduct should make us, however, so unjust as to attribute to the whole mass of the people who are subjected to the despotism that now reigns with unbridled license in the city of Washington a willing acquiescence in its conduct of the war. There must necessarily exist among our enemies very many, perhaps a majority, whose humanity recoils from all participation in such atrocities, but who cannot be held wholly guiltless while permitting their continuance without an effort at repression.

The public journals of the North have been received, containing a proclamation, dated on the 1st day of the present month, signed by the President of the United States, in which he orders and declares all slaves within ten of the States of the Confederacy to be free, except such as are found within certain districts now occupied in part by the armed forces of the enemy. We may well leave it to the instincts of that common humanity which a beneficent Creator has implanted in the breasts of our fellow men of all countries to pass judgment on a measure by which several millions of human beings of an inferior race, peaceful and contented laborers in their sphere, are doomed to extermination, while at the same time they are encouraged to a general assassination of their masters by the insidious recommendation "to abstain from violence unless in necessary self-defense." Our own detestation of those who have attempted the most execrable measure recorded in the history of guilty man is tempered by profound contempt for the impotent rage which it discloses. So far as regards the action of this Government on such criminals as may attempt its execution, I confine myself to informing you that I shall, unless in your wisdom you deem some other course more expedient, deliver to the several State authorities all commissioned officers of the United States that may hereafter be captured by our forces in

any of the States embraced in the proclamation, that they may be dealt with in accordance with the laws of those States providing for the punishment of criminals engaged in exciting servile insurrection. The enlisted soldiers I shall continue to treat as unwilling instruments in the commission of these crimes, and shall direct their discharge and return to their homes on the proper and usual parole.

In its political aspect this measure possesses great significance, and to it in this light I invite your attention. It affords to our whole people the complete and crowning proof of the true nature of the designs of the party which elevated to power the present occupant of the Presidential chair at Washington and which sought to conceal its purposes by every variety of artful device and by the perfidious use of the most solemn and repeated pledges on every possible occasion. I extract in this connection as a single example the following declaration, made by President Lincoln under the solemnity of his oath as Chief Magistrate of the United States, on the 4th of March, 1861:

> Apprehension seems to exist among the people of the Southern States that by the accession of a Republican Administration their property and their peace and personal security are to be endangered. There has never been any reasonable cause for such apprehensions. Indeed, the most ample evidence to the contrary has all the while existed and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of those speeches when I declare that I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so; and I have no inclination to do so. Those who nominated and elected me did so with full knowledge that I had made this and many similar declarations and have never recanted them. And more than this, they placed in the platform for my acceptance and as a law to themselves and to me the clear and emphatic resolution which I now read:
>
> "*Resolved*, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of powers on which the perfection and endurance of our political fabric depend; and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest crimes."

Nor was this declaration of the want of power or disposition to interfere with our social system confined to a state of peace. Both before and after the actual commencement of hostilities the President of the United States repeated in formal official communication to the Cabinets of Great Britain and France that he was utterly without constitutional power to do the act which he has just committed, and that in no possible event, whether the secession of these States resulted in the establishment of a separate Confederacy or in the restoration of the Union, was there any authority by virtue of which he could either restore a disaffected State to the Union by force of arms or make any change in any of its institutions. I refer especially for verification of this assertion to the dispatches addressed by the Secretary of State of the United States, under direction of the President, to the ministers of the United States at London and Paris, under date of 10th and 22d of April, 1861.

The people of this Confederacy, then, cannot fail to receive this proclamation as the fullest vindication of their own sagacity in foreseeing the uses to which the dominant party in the United States intended from the beginning to apply their power, nor can they cease to remember with devout thankfulness that it is to their own vigilance in resisting the first stealthy progress of approaching despotism that they owe their escape from consequences now apparent to the

most skeptical. This proclamation will have another salutary effect in calming the fears of those who have constantly evinced the apprehension that this war might end by some reconstruction of the old Union or some renewal of close political relations with the United States. These fears have never been shared by me, nor have I ever been able to perceive on what basis they could rest. But the proclamation affords the fullest guarantee of the impossibility of such a result; it has established a state of things which can lead to but one of three possible consequences—the extermination of the slaves, the exile of the whole white population from the Confederacy, or absolute and total separation of these States from the United States.

This proclamation is also an authentic statement by the Government of the United States of its inability to subjugate the South by force of arms, and as such must be accepted by neutral nations, which can no longer find any justification in withholding our just claims to formal recognition. It is also in effect an intimation to the people of the North that they must prepare to submit to a separation, now become inevitable, for that people are too acute not to understand that a restoration of the Union has been rendered forever impossible by the adoption of a measure which from its very nature neither admits of retraction nor can coexist with union.

Among the subjects to which your attention will be specially devoted during the present session you will no doubt deem the adoption of some comprehensive system of finance as being of paramount importance. The increasing public debt, the great augmentation in the volume of the currency, with its necessary concomitant of extravagant prices for all articles of consumption, the want of revenue from a taxation adequate to support the public credit, all unite in admonishing us that energetic and wise legislation alone can prevent serious embarrassment in our monetary affairs. It is my conviction that the people of the Confederacy will freely meet taxation on a scale adequate to the maintenance of the public credit and the support of their Government. When each family is sending forth its most precious ones to meet exposure in camp and death in battle, what ground can there be to doubt the disposition to devote a tithe of its income, and more, if more be necessary, to provide the Government with means for insuring the comfort of its defenders? If our enemies submit to an excise on every commodity they produce and to the daily presence of the tax-gatherer, with no higher motive than the hope of success in their wicked designs against us, the suggestion of an unwillingness on the part of this people to submit to the taxation necessary for the success of their defense is an imputation on their patriotism that few will be disposed to make and that none can justify.

The legislation of your last session, intended to hasten the funding of outstanding Treasury notes, has proved beneficial, as shown by the returns annexed to the report of the Secretary of the Treasury. But it was neither sufficiently prompt nor far-reaching to meet the full extent of the evil. The passage of some enactment carrying still further the policy of that law by fixing a limitation not later than the 1st of July next to the delay allowed for funding the notes issued prior to the 1st of December, 1862, will, in the opinion of the Secretary, have the effect to withdraw from circulation nearly the entire sum issued previous to the last-named date. If to this be added a revenue from adequate taxation, and a negotiation of bonds guaranteed proportionately by the several States, as has already been generously proposed by some of them in enactments spontaneously adopted,

there is little doubt that we shall see our finances restored to a sound and satisfactory condition, our circulation relieved of the redundancy now productive of so many mischiefs, and our credit placed on such a basis as to relieve us from further anxiety relative to our resources for the prosecution of the war.

It is true that at its close our debt will be large; but it will be due to our own people, and neither the interest nor the capital will be exported to distant countries, impoverishing ours for their benefit. On the return of peace the untold wealth which will spring from our soil will render the burden of taxation far less onerous than is now supposed, especially if we take into consideration that we shall then be free from the large and steady drain of our substance to which we were subjected in the late Union through the instrumentality of sectional legislation and protective tariffs.

I recommend to your earnest attention the whole report* of the Secretary of the Treasury on this important subject, and trust that your legislation on it will be delayed no longer than may be required to enable your wisdom to devise the proper measures for insuring the accomplishment of the objects proposed.

The operations of the War Department have been in the main satisfactory. In the report of the Secretary, herewith submitted,† will be found a summary of many memorable successes. They are with justice ascribed in large measure to the reorganization and re-enforcement of our armies under the operation of the enactments for conscription. The wisdom and efficacy of these acts have been approved by results, and the like spirit of unity, endurance, and self-devotion in the people, which has hitherto sustained their action, must be relied on to assure their enforcement under the continuing necessities of our situation. The recommendations of the Secretary to this effect are tempered by suggestions for their amelioration, and the subject deserves the consideration of Congress. For the perfection of our military organization no appropriate means should be rejected, and on this subject the opinions of the Secretary merit early attention. It is gratifying to perceive that under all the efforts and sacrifices of war the power, means, and resources of the Confederacy for its successful prosecution are increasing. Dependence on foreign supplies is to be deplored, and should, as far as practicable, be obviated by the development and employment of internal resources. The peculiar circumstances of the country, however, render this difficult and require extraordinary encouragements and facilities to be granted by the Government. The embarrassments resulting from the limited capacity of the railroads to afford transportation and the impossibility of otherwise commanding and distributing the necessary supplies for the armies render the control of the roads under some general supervision and resort to the power of impressment military exigencies. While such powers have to be exercised, they should be guarded by judicious provisions against perversion or abuse and be, as recommended by the Secretary, under due regulation of law.

I specially recommend in this connection some revision of the exemption law of last session. Serious complaints have reached me of the inequality of its operation from eminent and patriotic citizens, whose opinions merit great consideration, and I trust that some means will be devised for leaving at home a sufficient local police without making discriminations, always to be deprecated, between different classes of our citizens.

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* See January 10, p. 309. † See January 3, p. 279.

Our relations with the Indians generally continue to be friendly. A portion of the Cherokee people have assumed an attitude hostile to the Confederate Government, but it is gratifying to be able to state that the mass of intelligence and worth in that nation have remained true and loyal to their treaty engagements. With this exception there have been no important instances of disaffection among any of the friendly nations and tribes. Dissatisfaction recently manifested itself among certain portions of them, but this resulted from a misapprehension of the intentions of the Government in their behalf. This has been removed and no further difficulty is anticipated.

The report of the Secretary of the Navy, herewith transmitted, exhibits the progress made in this branch of the public service since your adjournment as well as its present condition. The details embraced in it are of such a nature as to render it, in my opinion, incompatible with the public interests that they should be published with this message. I therefore confine myself to inviting your attention to the information therein contained.

The report of the Postmaster-General shows that during the first postal year under our Government, terminating on the 30th of June last, our revenues were in excess of those received by the former Government in its last postal year, while the expenses were greatly decreased. There is still, however, a considerable deficit in the revenues of the Department as compared with its expenses, and although the grants already made from the general Treasury will suffice to cover all liabilities to the close of the fiscal year ending on the 30th of June next, I recommend some legislation, if any can be constitutionally devised, for aiding the revenues of that Department during the ensuing fiscal year, in order to avoid too great a reduction of postal facilities. Your attention is also invited to numerous other improvements in the service recommended in the report, and for which legislation is required.

I recommend to the Congress to devise a proper mode of relief to those of our citizens whose property has been destroyed by order of the Government, in pursuance of a policy adopted as a means of national defense. It is true that full indemnity cannot now be made, but some measure of relief is due to those patriotic citizens who have borne private loss for the public good, whose property in effect has been taken for public use, though not directly appropriated.

Our Government, born of the spirit of freedom and of the equality and independence of the States, could not have survived a selfish or jealous disposition, making each only careful of its own interest or safety. The fate of the Confederacy, under the blessing of Divine Providence, depends upon the harmony, energy, and unity of the States. It especially devolves on you, their representatives, as far as practicable, to reform abuses, to correct errors, to cultivate fraternity, and to sustain in the people a just confidence in the Government of their choice. To that confidence and to the unity and self-sacrificing patriotism hitherto displayed is due the success which has marked the unequal contest, and has brought our country into a condition at the present time such as the most sanguine would not have ventured to predict at the commencement of our struggle. Our armies are larger, better disciplined, and more thoroughly armed and equipped than at any previous period of the war. The energies of a whole nation devoted to the single object of success in this war have accomplished marvels, and many of our trials have, by a beneficent Providence, been converted into blessings. The magnitude of the

perils which we encountered have developed the true qualities and illustrated the heroic character of our people, thus gaining for the Confederacy from its birth a just appreciation from the other nations of the earth. The injuries resulting from the interruption of foreign commerce have received compensation by the development of our internal resources. Cannon crown our fortresses that were cast from the products of mines opened and furnaces built during the war. Our mountain caves yield much of the niter for the manufacture of powder, and promise increase of product. From our own foundries and laboratories, from our own armories and workshops, we derive in a great measure the warlike material, the ordnance and ordnance stores which are expended so profusely in the numerous and desperate engagements that rapidly succeed each other. Cotton and woolen fabrics, shoes and harness, wagons and gun carriages are produced in daily increasing quantities by the factories springing into existence. Our fields, no longer whitened by cotton that cannot be exported, are devoted to the production of cereals and the growth of stock formerly purchased with the proceeds of cotton. In the homes of our noble and devoted women, without whose sublime sacrifices our success would have been impossible, the noise of the loom and of the spinning wheel may be heard throughout the land. With hearts swelling with gratitude let us, then, join in returning thanks to God, and in beseeching the continuance of His protecting care over our cause and the restoration of peace with its manifold blessings to our beloved country.

JEFFERSON DAVIS.

GENERAL ORDERS, No. 4.

ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, January 12, 1863.

I. A camp of instruction for conscripts will be forthwith established at Petersburg, Va. All persons liable to conscription within the following counties will repair to this camp for enrollment, and all enrolling officers within said counties will hasten forward conscripts to the same point. The following are the counties referred to, to wit: Greenesville, Dinwiddie, Brunswick, Lunenburg, Mecklenburg, Halifax, Charlotte, Pittsylvania, Henry, Patrick, Franklin, Nottoway, Prince Edward, and Campbell.

II. Major-General French will appoint an officer of his command to receive and muster into service the troops called out by the Governor of Virginia in special orders of the adjutant-general of the State of January 9, 1863, as they arrive at Petersburg, and cause them to be furnished with subsistence and other supplies needed for their efficiency.

By order:

S. COOPER,
Adjutant and Inspector General.

SUBSISTENCE DEPARTMENT,
Richmond, January 12, 1863.

Honorable SECRETARY OF WAR,
Richmond, Va.:

SIR: For many months past the attention of the War Department has been called to the scarcity of meats within the country held by

our armies, and to the fact that the most productive districts have been overrun by the enemy. It has been shown that our resources for the support of our Army, now larger than we had in the field in the winter of 1861–'62 and the following spring, are not half of the resources available for feeding that Army.

The present meat resources lie in Virginia to a small extent, in North Carolina to about an equal extent, but mainly in the supplies accumulated and unaccumulated in Tennessee, a large part of them having been transferred to Georgia for safe-keeping.

Before General Bragg's army moved into Kentucky, Major Cummings was appointed and ordered to collect supplies in Tennessee as a resource for general use. All the hogs that could be collected were to be converted into bacon, and old bacon to be bought. Major Cummings, who is without doubt a man of extraordinary efficiency, and was most capable of estimating the existing resources of Tennessee, reported that, excluding the hogs and the bacon which he had bought, there was still unappropriated by him cattle and old bacon enough left to subsist General Bragg's army in Middle Tennessee.

The supplies obtained by him up to December 2, 1862, as detailed by him in letter of that date, recite, among other things, 100,000 hogs, 15,000 beeves, and over 2,000,000 pounds of bacon. Of those supplies a large quantity, probably all the old bacon, most of the beeves, and a large number of hogs, have been used by General Bragg's army, so much being thus abstracted from the accumulations of this Bureau. By telegram from Major Cummings I am informed that no more of his hogs will be allowed to be shipped to him out of Tennessee; hence the comparatively small number secured for baconing will be still further reduced. General Bragg having fallen back, Middle Tennessee is lost. The annual high water of the Tennessee and Cumberland Rivers being at hand, there is but small chance of driving the enemy back; consequently want of meat rations seems certainly impending over General Bragg's army and the Army of Virginia.

Texas is the only point where meat is yet available, but beeves cannot be driven well at this season on the other side of the Mississippi, and if they could be and could cross the Mississippi in large numbers they could not be brought to either Virginia or Tennessee. It was arranged to make the attempt last winter on the opening of spring, and it failed of success on account of deficient grass on the route.

The comparatively small district of East Tennessee now affords a greater relative amount of subsistence for General Bragg's army than do Virginia and North Carolina for the armies that are in those States, respectively. I therefore earnestly recommend that General Bragg be instructed to subsist his army from the resources of the country he defends, and be forbidden to stop the passage of hogs to Major Cummings, who has made arrangements for converting them into bacon; and, second, that this Bureau have authority to make arrangements for obtaining supplies of meat from without the limits of the Southern Confederacy, and especially to enter into contract with parties who have already proposed to furnish large amounts of bacon to the Bureau in exchange for cotton.

This latter point has been elaborately argued by this Bureau on prior occasions, and nothing can be added to what was then said except that renewed inquiries have strengthened the conviction then expressed that without such an arrangement the armies cannot be fed.

I am, sir, very respectfully, your obedient servant,

L. B. NORTHROP,
Commissary-General.

CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT, OFFICE OF INDIAN AFFAIRS,
Richmond, January 12, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have the honor most respectfully to submit for your consideration the following report in regard to the operations of this office, and the condition of the Indians west of Arkansas:

On the 3d day of April, 1862, at the first session of the First Congress, commencing on the 18th day of the previous February, the sum of $389,725.42 was appropriated to carry into effect treaty stipulations made with these Indians, and to meet current and contingent expenses of the superintendency of Indian Affairs and the different agencies to November 30, 1862. The amount expended for the purposes intended has been $213,597.73, leaving of said appropriation, unexpended and unrequired, $176,127.69.

The appropriation under consideration was based upon estimates prepared and submitted by this office, and, as will be perceived by the figures above given, largely exceeded the amount required. This was owing to the failure of agents to supply this office as is provided for by law with quarterly estimates of the sums necessary for distribution within the limits of their respective districts, and to meet the expenses of their several agencies. Reference is made to this fact simply to account for the large overplus in the appropriation, and is not intended as a complaint against those officers—the difficulty of communication between the seat of government and the Indian country and other circumstances incident to the present war being sufficient grounds of justification for non-compliance with this branch of their official duty. The same causes, too, it is proper to state in this connection, have no doubt operated to prevent them from promptly settling their accounts and keeping this office fully informed of the condition and sentiments of the Indians confided to their care.

In the month of August of the year that has just closed, information from sources entitled to credit was communicated to the Confederate Government of a nature calculated to excite some apprehension on its part with regard to the permanency of its relations with certain of the Indian nations and tribes. In view of this fact it was deemed advisable for me to proceed at once to the Indian country, and orders to that effect were issued from the War Department early in the ensuing month. I was instructed to carry with me for disbursement the Indian moneys appropriated by Congress April 8, 1862, to which allusion has hereinbefore been made; to acquaint myself as far as practicable during my stay in the Indian country with the wants and conditions of its people, and to use all proper and legitimate means to satisfy them of the determination of this Government to fulfill all of its promises and obligations to them; to pay them as regularly as possible their annuities, &c., and to protect them and their homes from the encroachments of all enemies.

In obedience to these orders, on the morning of the 13th of September, I left Richmond, but owing to misconnection of trains upon certain railroads and the difficulty at times of procuring suitable transportation, I did not enter the Indian country until the middle of October. I left it upon my return to this place about the 1st of December, having remained within its limits about a month and a half.

During the time I had repeated interviews with Samuel Garland, principal chief of the Choctaws; Winchester Colbert, Governer of the Chickasaws; Stand Watie, principal chief of the Cherokees; Motey Kinnaird and Icho Hacho, chiefs of the Upper and Lower Creeks; John Jumper, chief of the Seminoles, and other men of authority in these nations.

From conversations had with them and from information derived through other reliable channels, it was evident that a spirit of dissatisfaction had manifested itself prior to my arrival among portions of their people. It had resulted from the delay of this Government—unavoidably, it is true, but of the facts of which they had not been fully advised or did not comprehend—in complying with certain of its engagements to them. This dissatisfaction did not amount to real distrust of the good faith of the Confederate States. It was, however, a beginning in that direction, and had it been permitted to continue for any length of time, the most disastrous consequences might have ensued.

The task of removing it I found to be one of no great difficulty. Indeed the mere fact of the Government having sent an officer from the Capital to their country, charged with the special duty of conferring with them, and ascertaining by this means and through personal observation their wants and condition, was to them such a signal and conclusive mark of its favor and good will that but little was left for me to do in the premises. A simple and brief explanation of the past action of the Government in their behalf, coupled with the assurance of its unalterable determination to watch over and protect them, was all-sufficient to banish every trace of discontent from their minds. The substance of my official remarks to the authorities of the different nations is contained in an address issued to them from this office a few days ago, and the manner in which they were received is shown by extracts from a series of resolutions of the Choctaw Council and a written communication from the Creek chiefs, after my interviews with them—all of which are herewith respectfully submitted.*

It must not be supposed, in the reference here made to the Choctaw, Chickasaw, Cherokee, Creek, and Seminole nations, the idea is sought to be conveyed that all these Indians have proven loyal to their treaty engagements with the Confederate States. Such is by no means the fact. Indeed, it is true only with regard to one of them.

The Choctaws alone, of all the Indian nations, have remained perfectly united in their loyalty to this Government. It was said to me by more than one influential and reliable Choctaw during my sojourn in their country that not only had no member of that nation ever gone over to the enemy, but that no Indian had ever done so in whose veins coursed Choctaw blood.

The Chickasaws have been less, but scarcely less, fortunate in this regard than their brothers, the Choctaws. About forty families in a body were induced to desert their country about the time of the alliance of their nation with the Confederate States. With this exception no instances of disaffection have been known amongst them.

Of the Seminoles at least one-half have proved disloyal and have deserted their country. Their chief, John Jumper, however, has ever exhibited unshaken fidelity to the Confederate cause, and those of his

* Omitted.

people who have remained with him are composed of the same staunch material with himself.

The Creeks have lost about a thousand or fifteen hundred of their people. Hopoeithleyohola's defection carried off almost all of these, as well as the forty families of Chickasaws before alluded to, and the major part of the Seminoles.

Of the Cherokees not less than one-half followed Ross when he deserted his country. Almost the whole of the worth and talent of the nation, however, was left behind him, and is now clustered about Stand Watie, its present gallant and patriotic principal chief.

In reference to the condition and feelings of the small tribes located in the northeastern corner of the Indian country—the Osages, Quapaws, Senecas, and Senecas and Shawnees—but little is known. Their country, exposed as it is to invasion by Kansas desperadoes, has been completely under the control of the North almost from the day of their having entered into treaties with this Government. On this account 150 families of the Great Osage tribe left their homes long ago, and took refuge with the Creeks. Three of the leading men among these refugees—a chief, Black Dog, and two others—visited me at Fort Smith, on the line of Arkansas and the Indian country. They seemed to believe that a majority of their brother Osages, which is the only one of these bands of any strength or importance, were still true and loyal, although fear had kept them from making a decided manifestation of it. At any rate, according to their statement, no acts of hostility had ever been perpetrated by them against the Confederate States. The other bands, they thought, had sided with the enemy.

The Indians settled upon the district lying between the 98th and 100th parallels of west longitude and the Red and Canadian Rivers, and known as the reserve Indians, have not of late been doing very well. At the time these Indians were taken under the guardianship of the Confederate States they numbered, including men, women, and children, about 2,000 souls, and consisted of Comanches, Wichitas, Caddos, A-na-dagh-cos, Ton-ca-wes, Ta-hua-ca-ros, Hue-cos, Ki-chais, and Ai-o-nais. Provision was made for feeding them at the expense of the Government, and placing with them white men to give them instruction in agriculture and the mechanic arts.

Anterior to my visit to the Indian country, false representations were made to these Indians by mischievous persons of a threatened inroad into the reserve district of a band of Texans with hostile intentions, and all or nearly all of the Wichitas, Caddos, Ta-hua-ca-ros, Hue-cos, Ai-o-nais, and Ki-chais ran away. These desertions reduced the number of Indians upon the reserve at least one-half.

Information in regard to this untoward event did not reach me until my arrival at Fort Washita, in the Chickasaw country, where, at the same time, I was also met by news from the reserve of a still more unpleasant character.

Letters from the quartermaster of the Chickasaw battalion stationed at Arbuckle had just been received at Washita, giving an account of a serious attack upon the reserve by a band of marauding Indians. At the former post, to which I immediately proceeded, in the company of General Pike, I learned the particulars of the affair from Doctor Sturm, the issuing commissary for the reserve, and Doctor Shirley, a merchant at the agency, both of whom were in the neighborhood at the time of its occurrence.

The marauding party scarcely exceeded one hundred in number, and were composed of Shawnees, who had deserted from John Jumper's

battalion, Delawares, Kickapoos, and a few disloyal Seminoles and Cherokees. They made their appearance at the agency between 9 and 10 o'clock on the night of the 23d of October. Whether any of the reserve Indians had a knowledge of their coming is not certainly known. They, however, took no part in the outrage.

Four of the white employés at the agency were surprised and murdered. Their names were Bickel, Harrison, Outzen, and Turman.

During the night the murderers, after having plundered the agency building, burned it to the ground. No other house was destroyed.

The following morning they attacked the Ton-ca-wes, one of the bands of reserve Indians, killing their chief, Placido, a good man, twenty-three of their warriors, and about an hundred of their women and children. The Ton-ca-wes, although armed with only bows and arrows, while their assailants had weapons of the latest and best pattern furnished them by the North, inflicted upon the latter, it was said, a loss of twenty-seven men in killed and wounded.

The ground of their assault upon the Ton-ca-wes is to be found, I suspect, in the fact of this band having sided with the whites against the Indians some time ago in Texas. Feuds among this singular race of people never die.

The remnant of the ill-fated Ton-ca-we tribe, about forty men and less than a hundred women and children, made their way to Arbuckle a few days after the fight. They were in a most miserable and destitute condition.

Before leaving the Chickasaw country I wrote to the Governor of that nation, asking permission to place them temporarily on Rocky Creek, about eighteen miles east of Arbuckle, where there was excellent grazing for the few horses owned by them, plenty of wood, and good water. His consent was readily obtained. A copy of his letter on the subject is hereto appended.*

Doctor Sturm, the commissary before referred to, was instructed by me to remain with the Ton-ca-wes during the winter, and attend to the issuing of provisions to them, which would be supplied under the contract for feeding the reserve Indians.

I did not visit the reserve. It was unnecessary, as all the friendly Indians, from fear, were known to have abandoned it soon after the commission of the outrages to which I have directed attention, and had fled to the Wichita Mountains. A message, however, inviting the fugitives back to their homes and couched in such terms as were calculated to allay their apprehensions, was transmitted to them through Doctor Shirley, who accompanied a scouting party sent to the reserve by General Pike. Of the result of this undertaking the office has not yet been informed, although but little doubt is entertained of its success as the Comanche chiefs, whose encampment was visited by certain white men immediately subsequent to the attack upon the agency, and by whom they were assisted to escape, expressed the determination of returning when all excitement had subsided and they were assured of protection.

Doctor Shirley, it should likewise be stated, was also requested by me, while he remained upon the reserve, to take charge of all Government property there and adopt the necessary measures to preserve it from waste.

Before dismissing the subject of the reserve agency, a few remarks in reference to the wild Indians will not be out of place.

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*Omitted.

It is gratifying to be able to state that they have recently evinced no great disposition to wage war upon the Confederate States. Indeed, with the exception of the Cai-a-was, they have never done so. This band, one of the most powerful and warlike of all the tribes leading a nomadic life upon the prairies and Staked Plain, refused all propositions of peace made to them in July, 1861, by the commissioner sent from this Government to treat with the Indians west of Arkansas, and endeavored to prevail upon the Comanches to pursue a similar course. They were induced to act thus by Northern emissaries, who at the same time provided them with rifles, six-shooters, and knives to be used in murdering and scalping defenseless women and children. In their wicked and bloody designs they failed to obtain the co-operation of the Comanches, several of the bands of which made a treaty with the commissioner. Latterly, however, even this fierce tribe has manifested some desire to cultivate friendly relations with the Confederate States.

On the 4th of July last some of the Cai-a-wa chiefs accompanied the Comanches in their visit to the reserve agency to sign the treaty which had heretofore been made with a part of them, and while there they also entered into a convention with the Confederate Government. That they really wished to be at peace and intended to abide by the obligations of this convention is strongly indicated by the fact of Tes-toth-cha, their principal chief, having come to the reserve some time before to select a home for his band and pointing out Elk Creek, in the vicinity of the Wichita Mountains, as the place desired by him for the purpose.

The recent breaking up of the reserve has interfered with all these arrangements—arrangements looking to the establishment of friendly relations with all the wild Indians, their permanent settlement, and cultivation of the arts of peace; but it is hoped that this may be speedily remedied by the return of the reserve Indians to their homes and the wise management henceforth of the affairs of the agency.

The importance of this reserve agency to the Confederate States is scarcely to be overestimated. The labor and expense necessary to keep it up, at least for some years, will be great; but it may well be urged that peace on our extensive western frontier—which would, no doubt, result from its maintenance on a sound and healthful basis—the preservation of the lives and property of thousands of our citizens, and withal the gradual civilization of the roving pagans of the prairies, offer the most ample remuneration for all the labor and all the expense to which the Government may be subjected, should each be doubly as heavy as there is any likelihood of its being.

Permit me to remark in this connection that a white and Indian force adequate to the protection of the reserve should be constantly kept there, and that the necessary steps should at once be taken to rebuild the agent's house, which was destroyed as hereinbefore stated.

In portions of the Indian country excessive drought has prevailed during the last two seasons. The crops were cut short and some of the friendly Indians are therefore suffering. Corn, however, has been and is still being supplied as far as practicable to the most needy among them by the generals in command. These facts are mentioned that Congress may adopt such action on the subject as in its judgment shall seem best.

I had intended to suggest for your consideration certain modifications of the law regulating trade and intercourse with the Indians, but have upon reflection deemed it inexpedient to do so. It contains

features of somewhat doubtful propriety, yet, having only recently been enacted and therefore but imperfectly tested, I do not now feel altogether authorized to dispute its efficiency.

No effort of this office, in its operations heretofore, has been spared to guard the interests of the Confederate States, as well as those of the Indians, and it is sufficient to state in conclusion that for the future the same ends shall be had constantly in view.

I have the honor to be, very respectfully, your obedient servant,

S. S. SCOTT,
Commissioner, &c.

[JANUARY 13, 1863.—For orders of the Governor of Louisiana, directing the enrollment of all white males between the ages of seventeen and fifty years, see Series I, Vol. LIII, p. 843.]

SPECIAL ORDERS, No. 11. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., January 14, 1863.*

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XI. Authority is hereby granted R. S. Williams to raise a light artillery company, to be equipped with Williams' breech-loading guns, to consist of Kentuckians, under the call of the President and existing law.

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By command of the Secretary of War:

JOHN WITHERS,
Assistant Adjutant-General.

[JANUARY 14, 1863.—For Shorter to Seddon, in relation to suspension of enrollment in certain counties in Alabama, &c., see Series I, Vol. XV, p. 946.]

STATE OF GEORGIA,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Milledgeville, January 14, 1863.

RESOLUTIONS.

Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, First. That the officers and soldiers from this State, upon whatsoever fields they have met our enemies, have, by their distinguished bravery and unflinching valor, conferred immortal honor upon themselves and enduring renown upon their State, and have truly illustrated the character of Georgia.

Second. That the thanks of the people of this State and the General Assembly are due, and are hereby tendered, to them for the promptitude with which they repaired to the defense of our Confederacy, for the unyielding fortitude with which they have borne the privations, toils, and fatigues incident to their service, and for the unsurpassed gallantry and courage displayed by them on every battle-field.

Third. That we deeply and sincerely lament the death of so many of our brave officers and men who yielded their lives in defense of their country on the field of battle, and this General Assembly does not hesitate to declare that when the proper time shall arrive the State should spare no expense to erect a suitable monument to perpetuate their names and gallant deeds.

Fourth. That as our gallant soldiery are standing as sentinels over the honor, the liberty, the property, and lives of our people, resisting most valiantly the aggressions of a most unscrupulous and fanatical foe, justice and gratitude alike demand that Georgia should do its utmost to prevent suffering among her troops abroad, or their needy families at home, and to these ends the present General Assembly stands pledged to make appropriations, with liberal and unstinting hands, confident that, should the emergency require it, future Legislatures will follow a precedent so commendable and patriotic.

Fifth. That the adjutant-general shall have prepared in his office a registry containing, in alphabetical order, the names of all officers and privates who have entered, or may hereafter enter, the service from this State during the existing war, designating their residences, and the companies, battalions, or regiments of which they were members, which registry shall contain, so far as can be ascertained, a list of those wounded in battle but who survive. In a separate volume shall be preserved a list of the gallant and lamented dead who fall by the hand of disease or from wounds in battle, which registry, when completed at the end of the war, shall be deposited in the archives of the State, there to remain a sacred memorial of gallant names and glorious deeds.

Sixth. That His Excellency the Governor is hereby requested to forward a copy of these resolutions to the commanding officer of each Georgia regiment, to be read at the head of his command.

WARREN AKIN,
Speaker of House of Representatives.
L. CARRINGTON,
Clerk of House of Representatives.
JOHN BILLUPS,
President of the Senate.
JAMES M. MOBLEY,
Secretary of the Senate.

Approved November 26, 1862.

JOSEPH E. BROWN,
Governor.

Forwarded in compliance with the resolution of the General Assembly.

By order of commander-in-chief:

HENRY C. WAYNE,
Adjutant and Inspector General.

RICHMOND, *January 15, 1863.*

The SENATE OF THE CONFEDERATE STATES:

I hereby nominate James A. Seddon to be Secretary of War, in place of George W. Randolph, resigned.

JEFFERSON DAVIS.

GENERAL ORDERS, No. 6. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, January 15, 1863.*

I. The attention of officers charged with the custody of public property is called to paragraphs 923, 924, and 925, Army Regulations, which provide the mode of accounting for that which is lost or destroyed, and disposing of such as become unsuitable for the service. No departure will be allowed from the requirements therein contained, and all officers having public property in their possession will be held to a strict accountability.

II. The appointment of agents to purchase wool by any officer except the Quartermaster-General, and such officers as may act under his authority and sanction, is hereby prohibited; and all agencies for that purpose heretofore authorized by other officers is revoked.

By order:

S. COOPER,
Adjutant and Inspector General.

SPECIAL ORDERS, No. 12. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., January 15, 1863.*

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VI. Authority is hereby granted V. B. O'Neil to raise a company of partisan rangers, to be composed of Kentuckians, under the call of the President and existing law.

VII. Authority is hereby granted Capt. S. A. Doran to raise a company, to be composed of Kentuckians, under the call of the President and the existing law.

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By command of the Secretary of War:

JOHN WITHERS,
Assistant Adjutant-General.

MILITARY COMMITTEE ROOM, HOUSE OF REPRESENTATIVES,
January 16, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have been instructed by the Committee on Military Affairs to request you to furnish them with a tabular statement of the number of troops of all arms now in the service; the number from the several States, respectively; the number of troops prior to the passage of the first conscription law; the number prior to the passage of the second conscription law; the number of conscripts received into the Army by the operation of each of these laws; the number of volunteers received since the passage of each of these laws; the number of soldiers lost in battle, disabled, discharged, died in hospitals, &c., and such other information of a statistical character with reference to the Army as may seem to you judicious and proper.

I am, with high respect, your obedient servant,

W. PORCHER MILES.

[Indorsement.]

JANUARY 17, 1863.

ADJUTANT-GENERAL:

Please furnish the statements requested as early as possible.

J. A. S.,
Secretary of War.

SPECIAL ORDERS, No. 13. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., January 16, 1863.*

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X. Authority is hereby granted Maj. M. J. Wicks to raise an independent battalion of partisan rangers, to be composed of men drawn from within the enemy's lines, for special service on and near the Mississippi River, under the call of the President and the existing law.

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By command of the Secretary of War:

JOHN WITHERS,
Assistant Adjutant-General.

[JANUARY 16, 1863.—For Bragg's order appointing General Pillow to organize a volunteer and conscript recruiting bureau in the Army of Tennessee, see Series I, Vol. XX, Part II, p. 498.]

A Proclamation by Joseph E. Brown, Governor of Georgia.

Reliable information having been received by me that there is at present a very considerable number of deserters and stragglers from the military service of the Confederate States within the limits of this State, who, after having volunteered and entered the service, have ingloriously abandoned their country's flag and their brave comrades in arms; and it being represented that numbers of these deserters, encouraged by disloyal citizens in the mountains of Northeastern Georgia, have associated themselves together with arms in their hands and are now in rebellion against the authority of this State and the Confederate States, robbing loyal citizens of their property and threatening to burn their dwellings and do other acts of violence; and it being my determination, while I do all in my power as the Executive of the State to maintain her rights and her sovereignty in the Confederacy as well in times of revolution as in times of peace, to exercise all the power and authority vested in me to cause the government and people of the State to do their whole duty to the Confederacy, and to the people of the sovereign States of which it is composed, and not only to respond in future, as I have in every instance promptly done in the past, to every call made upon this State for even more than her just quota of men and means to carry on the war till our independence is fully established, but to compel all who have deserted and sought refuge within this State, whether they be Georgians or not, to return to the discharge of duty:

I therefore issue this, my proclamation, commanding all persons, as well officers as privates, within the limits of this State, who have been actually engaged in the military service of the Confederate States, and who have deserted or are otherwise absent from the respective commands to which they belong without legal furlough or order from the officers having the right to command them, or who have overstayed the time allowed them, without providential hindrance, to return to their respective commands immediately after the publication of this notice; and I invoke the pardon of the Confederate authorities for all such who return to their duty within twenty days, but ask that the penalties of the law be vigorously inflicted upon all who refuse so to do; and I call upon the good people of this State to bring to bear the powerful influence of a just public opinion in condemnation of all deserters and stragglers, no matter what may be their position, wealth, or influence. And I also hereby command and require all militia officers of this State, with the forces under their command if necessary, and all sheriffs and constables, with all persons subject to their commands, to be vigilant and active in arresting all persons who may be found within their respective jurisdictions who belong to any military organization in the service of the Confederate States, who cannot show that they have the legal authority or order of their commanding officers to justify such absence; and to deliver such persons when arrested to any officer commanding any company or regiment in the military service of this State. And I also direct each and every officer in command of either of the two regiments now being formed for State service, or of any company of which they are comprised, to arrest all such persons, using all the force necessary for that purpose; and to receive into their custody all such when tendered by any militia officer or sheriff or constable of this State, and to send all such deserters or stragglers under a sufficient guard to General

Mercer, at Savannah, or to Col. G. W. Lee, commanding the post at Atlanta, as the one or the other place may be nearest and most convenient, to be disposed of as the Secretary of War may direct.

I also direct all loyal citizens of this State to report to the officers above mentioned or to the State troops in service the names of all persons, as well officers as privates, suspected to be deserters or to have overstayed the time allowed by their furloughs, and to render to the State officers all the assistance in their power in executing the instructions herein contained and in ridding the State of all deserters or stragglers who disgrace her soil. And I also warn all disloyal citizens to cease to harbor deserters or encourage desertion or to commit further acts of disloyalty or hostility to this State or the Confederate States, as the law against treason will be strictly enforced against all who subject themselves to its penalties. Any person who shall commit any overt act of treason, by taking up arms against this State or the Confederate States, or by adhering to their enemies or giving them aid or comfort, will be arrested and confined in the common jail of the county where the crime is committed, or if the jail is insufficient or there is danger of rescue, in such other jail of this State as the presiding judge of the circuit shall direct. And all persons hereafter encouraging desertion or harboring deserters, or committing other acts of disloyalty, will be arrested and delivered to General Mercer, at Savannah, or Colonel Lee, at Atlanta, to be dealt with as the Confederate authorities may direct under the laws of force; and the Rules and Articles of War.

Given under my hand and the great seal of this State, at the Capitol, in Milledgeville, this 17th day of January, in the year of our Lord 1863.

JOSEPH E. BROWN.

By the Governor:

N. C. BARNETT,
Secretary of State.

HDQRS. BUREAU OF VOLUNTEERS AND CONSCRIPTS,
Fayetteville, January 17, 1863.

Col. G. W. BRENT,
Assistant Adjutant-General:

COLONEL BRENT: I reached here this afternoon and immediately entered upon the duty preparatory to the organization.

I expected to get everything ready for a forward movement by Wednesday morning. My purpose was first to rake Bedford County, in which there are 1,500 men liable to duty under the conscript law. I was anxious to clean out that county by one movement, and doing it at once to avoid giving alarm.

A partial movement over one portion of the county will give the alarm, and cause the conscripts to scatter and hide out.

I find Colonel Avery has only about 40 armed men with guns, and only about 180 sabers and 100 saddles.

There [are] sixty saddles here belonging to Colonel Malone's regiment of cavalry, which I will have turned over to Colonel Avery's command. I find a number of Colonel Morgan's men without horses in camp in the neighborhood of Mulberry, eight miles from this place.

I will use such portions of Morgan's men as have horses suitable for present service, turn over the extra arms in possession of his dismounted men to arm as many of Avery's men as have saddles, and

may, out of the two commands, make up 400 or 500 men for the first forward movement into Bedford County.

This is an inadequate force for energetic action and success. Colonel Avery says his requisition for arms and equipments has been forwarded some time since, but none have come.

I cannot meet General Bragg's expectations without a good force of cavalry. With 1,000 cavalry I can add 5,000 to his army in a short time. I will rapidly sweep Middle Tennessee to the enemy's lines if the cavalry is furnished. I suppose General Bragg did not know the condition of Avery's command. Advise me if my action is approved in regard to the measures explained above, and say if I can have a support of the force of cavalry indicated as needed.

I shall, with such force as can be armed and fitted for the field, leave on Wednesday morning for the movement on Bedford.

There is no paper or books of any sort to be had in this place.

GID. J. PILLOW,
Brigadier-General, C. S. Army,
Chief of Bureau of Volunteers and Conscripts.

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
Fayetteville, January 18, 1863.

To the PEOPLE OF TENNESSEE AND THE CONFEDERATE STATES:

Having been directed by General Bragg to organize a volunteer and conscript bureau for the purpose of recruiting and strengthening his army and making it self-sustaining, I appeal to you to come promptly to its support.

Upon that army depends the safety of your homes and all that you hold dear. We are no longer in doubt as to the character of the Lincoln despotism. The ruin and desolation which is everywhere left in the track of its armies attest its vandalism.

The late proclamation of the tyrant and usurper, proposing to free all our slaves and taking them into his Army, and inciting the slaves to insurrection and massacre of their owners and their families, places him and his Government without the pale of civilization. Men who will not resist such a despotism do not deserve to be freemen. I will receive all who come to me as volunteers and allow them to select the company and regiment which they will join; and they will be entitled to the bounty and all the privileges of volunteers. Those who will not join as volunteers will have to come as conscripts.

Report yourselves to Colonel Campbell, Fayetteville; Major Nicholson, Shelbyville, or to the commanders of existing regiments, and you will be received and enrolled as volunteers.

Recruiting officers will be sent to all the States having troops in the Army. Those tendering themselves as volunteers will be so received.

I will also receive organized companies of volunteers from within the enemy's lines, or behind his positions. Such companies will be organized into regiments by the order of the President.

GID. J. PILLOW,
Brigadier-General, C. S. Army, and
Chief of Volunteer and Conscript Bureau.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, January 19, 1863.

Col. J. GORGAS,
Chief of Ordnance:

The act (No. 21) of the first session of the Provisional Congress, entitled "An act to provide munitions of war," &c., authorizes the Secretary of War, under the direction of the President, "to make contracts for the purchase and manufacture of heavy ordnance and small-arms" in such manner and on such terms as in his judgment the public exigencies may require. The question you present is whether the President exhausts all his authority in making the contract, or can he authorize a modification when he supposes that the modification proposed will better accomplish his object. And upon this question there can be little room for doubt when we consider the expansive language of the authority conferred upon him. His authority is only restricted by his views of the exigencies of the public. It has been suggested that the tenth article of the ninth section of the Constitution may contain a restriction upon this power. That article prohibits Congress from granting extra compensation to any public contractor, officer, or agent after such contract shall have been made or such service rendered. This prohibition is special as to Congress and does not embrace in its terms the President. The settlement of contracts and the adjustment of compensation are, in general, administrative duties committed to the Executive Department under legal regulations. A large discretion must be committed to the officers of that Department in such cases, or the efficiency of the service would be enervated. On the other hand, these are not properly subjects of legislative management. Much abuse originated in the control that the Congress of the United States exerted over such subjects. The members were exposed to solicitation from greedy contractors and dishonest claim agents, and much corruption was introduced into the Federal Legislature in the effort to secure extra allowances to such persons. There is no rule of construction that authorizes the extension of the prohibition beyond the plain language of the Constitution.

For Secretary of War.

Very respectfully, your obedient servant,

J. A. CAMPBELL,
Assistant Secretary of War.

GENERAL ORDERS, No. 7. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, January 19, 1863.

I. The exemption from military service of route agents of the Post-Office Department having been claimed by the Postmaster-General as executive officers of the Confederate States, under the act of October 11, 1862, is recognized. Such persons, if within conscript ages, will be enrolled and furnished with certificates exempting them during the continuance of their appointments. In all cases where the appointment fails or the term thereof expires the party is required to report himself to the officer by whom he was enrolled, or if he cannot be found to the Adjutant and Inspector General at Richmond.

II. Hereafter all field artillery belonging to any separate army will be parked together under the direction of the general or other chief

officer of artillery having control of the same, to be distributed, when required, according to the judgment of the commanding general of such army.

III. Cavalry companies will, as far as practicable, be kept with their respective regiments. The practice of detailing such companies or parts of them as couriers and guides for the headquarters of general officers will be discontinued. Their places can be supplied by such infantry soldiers as may be able to furnish themselves with horses and can be detailed for this duty by the general from their respective commands, the number not to exceed six for the commander of an army corps, four for commander of division, and two for commander of brigade.

IV. Medical officers, in furnishing certificates of disability to disabled and invalid officers, will confine themselves to the established forms of the service provided for such certificates and will hereafter abstain from recommending them for light duty.

By order:

S. COOPER,
Adjutant and Inspector General.

TREASURY DEPARTMENT,
Raleigh, January 19, 1863.

Hon. W. T. DORTCH:

DEAR SIR: You are aware that this State, in clothing her troops, furnishing cavalry horses, &c., has a claim against the Confederate Government amounting to some $6,000,000. Within a few days past an agent sent by the State, Captain Gulick, has had claims audited and allowed and filed in the War Department to the amount of $1,289,495.28, which was not paid for want of an appropriation, as Captain Gulick informs me. The treasury of the State cannot meet the requisitions on it if this money be not received very promptly. I beg you to press this appropriation through with all possible dispatch. See some of our delegation in the House and acquaint them with these facts, and much oblige,

Yours, very respectfully,

JONA. WORTH,
Public Treasurer.

[Indorsement.]

SENATE CHAMBER, *January 29, 1863.*

Hon. C. G. MEMMINGER:

Allow me to call your attention to the within. I do not know whether the amount due the State is embraced in your estimates. If not, please attend to it.

Yours, &c.,

W. T. DORTCH.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 8. } *Richmond, January 20, 1863.*

I. Applications for staff appointments to fill vacancies, whether occurring in divisions, brigades, regiments, or battalions, must, in all cases, besides being sent through the proper channels, be accompanied by a statement showing how such vacancies have occurred; and until

the previous incumbent shall have been properly disposed of, and his absence accounted for to the satisfaction of this Department, no other appointment will be made.

II. No transfers of bonded officers from the positions to which they have been originally assigned shall be recognized until ratified by this Department.

By order:

S. COOPER,
Adjutant and Inspector General.

[JANUARY 20, 1863.—For Seddon to Cobb and Cobb's reply (29th), in relation to raising troops in Georgia and Florida, see Series I, Vol. LIII, pp. 276, 277.]

GENERAL ORDERS, No. 9.

WAR DEPARTMENT,
ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, January 22, 1863.

I. Pursuant to section 8 of an "act to provide for the public defense," approved April 16, 1862, men who are mustered into service bringing with them their own arms are entitled to $1 per month for the use of the same from the date of mustering into service. Should they prefer to receive the full value of the arms, the same will be fixed by the mustering officer at any muster according to the value of arms fixed by General Orders, No. 78. In either case the fact will be noted on the muster-roll by the mustering officer, with a statement of the value of the arm, or of the amount due per month as compensation for the use thereof. The sums so due for arms or use of arms will be paid by the brigade, division, or other ordnance officer, and such payment noted on the muster-roll.

Payment for the use of arms will not be made oftener than once in six months.

II. In like manner cavalry equipments brought into service will be valued by the mustering officer, and the value entered upon the muster-roll, and paid for at the following rates:

For a good, serviceable saddle, $15 to $20; good saddle blanket, $3 to $4; good bridle, $3 to $5; good halter, $2 to $3; and minor articles at the discretion of the mustering officer.

III. General Orders, No. 101, last series from this office, are amended so as to allow that the two surgeons to be employed to examine conscripts in each Congressional district may be selected from the districts in which they are to act, when surgeons cannot be obtained from other Congressional districts.

By order:

S. COOPER,
Adjutant and Inspector General.

SPECIAL ORDERS, No. 18.

ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, Va., January 22, 1863.

* * * * * * *

V. Iron for the completion of public vessels being indispensable, and not within the reach of the Government through the ordinary sources, Col. W. M. Wadley, assistant adjutant-general, and Maj. I. M. St. John, chief of the Niter and Mining Bureau, are appointed

to act, with an officer to be designated by the Navy Department, as a commission to examine and advise on what railroads in the Confederate States the iron on their tracks can best be dispensed with. In making this inquiry the commission will be governed by the public interest, and will leave out of consideration all roads and portions of roads required for military operations and defenses, and also such as are indispensable in conveying supplies for the public use. They will also, remembering that the iron rails which can be advantageously removed as far as suitable may be needed for the maintenance of the roads indispensable to military operations, inquire and report the best means of ascertaining the iron suitable for such roads and apportioning the same, and the rails removed may be exchanged for equivalents in value of more defective rails to be rolled and used for naval purposes.

* * * * * * *

By command of the Secretary of War:

JOHN WITHERS,
Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., January 22, 1863.

Maj. Gen. J. B. MAGRUDER,
Commanding Department of Texas:

GENERAL: A letter of the consul of France, in this city, has been referred by the Secretary of State to this Department, in order that instructions may be given to the Confederate authorities in Texas to repair the existing evils and to prevent them in future. This letter brings to the notice of the Department instances of injustice and oppression committed upon the subjects of the Emperor of France residing at San Antonio, Victoria, and Clinton. The precise complaint is that these persons were enrolled under the conscription act illegally, and to enforce obedience were imprisoned or otherwise harshly dealt with by the military authorities. The persons subject to damages who have been named in this letter are Dennis Burger, Herbert Burger, L. P. Hanser, Charles Florentin, of San Antonio; Marc Wilhelm, of Clinton; Sebastin Myer, Auguste Luder, and Stephen Weitz, of Victoria, and the French consul himself, at San Antonio. The cases that fall under your cognizance are those of Marc Wilhelm, of Clinton, who is said to be a member of Company D, in Shelby's battalion, at Corpus Christi, and such others as may fall under your military command. The Confederate Government fully recognizes the principle of the law of nations, that mere sojourners or residents in this country, who retain their domicile of nativity, do not owe military service to the Confederate States. Instructions have been given to the commanders of conscripts not to subject persons of that class to enrollment and conscription.

As a general thing the French population of this country retain the domicile of their nativity and rarely mingle in the public concerns of the country of their residence. They generally retain a purpose to return to the land of their birth, and are seldom willing to forego their relations with the empire, which is an object both of affection and pride. It would be an act of injustice to coerce men of this description to fight our battles. They come to this country upon a faith in treaty stipulations, and reposing upon the principles of international law to protect them from such oppression. The probability is that

many of the persons named in the list furnished by the consul have been ordered into service. It is desired of the Department that you ascertain if this be the case, and that you direct inquiries as to the fact of the enlistments and the liability of the parties to render service. Wherever you find that the principles upon which the Department proceeds in reference to this class have been violated, you are authorized to relieve the sufferer from the military service.

The case of Charles Florentin, as represented by the letter of the consul, is more than usually mingled with circumstances of violence. He was enrolled, and upon his refusal to submit to the military rule was imprisoned, and finally ordered to leave the Confederate States. The representation of the consul is wanting in names, and it is difficult to learn from it whether any of the Confederate authorities were concerned in this wrong; but as the Confederate States are required to explain it, the Department desires you to make a report as to what was done in this as well as in the other cases specified. It is not necessary, general, to inform you that the Department desires that the conduct of the military authorities should be characterized by a scrupulous regard for the rights of every class of the population, and that no act of theirs should be made the subject of just complaint. Especially is it important that the anomalous relations of the population of foreign birth should not be the subject of jealousy or ill-will, nor expose individuals belonging to that population to any imposition or injury; but, on the contrary, it is the wish of the Department that their claims, under the law of nations, should be diligently guarded.

Very respectfully, your obedient servant,

J. A. CAMPBELL,
Assistant Secretary of War.

SPECIAL ORDERS, No. 19. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., January 23, 1863.*

* * * * * * *

XXIX. Authority (not a commission) is hereby granted to Col. James F. Brewer to muster into the service and organize into a regiment as many of the men enlisted by him for twelve months as will consent to engage for the war, and any other Kentuckians willing to join him on the same terms.

By command of the Secretary of War:

JOHN WITHERS,
Assistant Adjutant-General.

[JANUARY 23, 1863.—For Campbell to Shorter, in relation to the disposition of conscripts in certain counties in Alabama, see Series I, Vol. LII, Part II, p. 414.]

NEAR RUSSELLVILLE, EAST TENN.,
January 23, 1863.

Hon. BEN. HILL,
C. S. Senate:

DEAR SIR: As you were on your return home from Congress last September I was so fortunate as to fall in with you and have a hasty conversation upon the state of affairs in East Tennessee, and the

proper course to be pursued in this department. On that occasion I was pleased to find your mind open to the truth and capable of comprehending our peculiar political and social condition. As I was taking leave of you (as the train neared New Market, where I stopped) you told me that you would address the President directly upon the subject, which I have no doubt you did. I then hoped much from your action in the premises; but other counsels prevailed. Effects have followed causes, and developments have established the correctness of what I then told you was the condition of East Tennessee. I would not now trouble you with the affairs of East Tennessee if I did not feel constrained so to do by a sense of duty. It is to the calm, conservative patriots that the country must look, in this her darkest hour of trial, for deliverance. As such I have ever looked upon and now address you. That I may the more clearly present and enforce my present views, I beg to recall to your remembrance the substance of the views expressed in the conversation referred to. On that occasion you will remember that I predicted disaster from the proposed conscription of East Tennessee. I told you that the people of East Tennessee were misrepresented and misunderstood, that there was but one single legitimate argument in favor of conscription, and that was that the men of East Tennessee were as much bound to fight for our independence as our own volunteers or the men from any other section, and that in view of moral obligation they were entitled to no peculiar exemption, and in that view the soldiers in the service had the right to feel that all should fare alike; but that being said, all was said. The end and object of the war are to preserve American institutions in their purity, defend the principles of the American Constitution, and as the only means of doing that, establish the independence of the Confederacy—whip Lincoln and his followers. To do this we must husband all our resources and bring out all our available strength; that if we found within our borders a section where the people were not politically with us, yet not our open, active enemies, it was the duty of our rulers to rise to the exigencies and importance of the occasion, take men as they were, and not as they should have been, and use them for the furtherance of the great end to be attained—the gaining of our independence—in such spheres as they could be made useful, and not with any narrow, contracted policy of political proscription decapitate or convert. I told you that East Tennesseeans, as you and I, had to be devoted to our Government, created by our State and Federal Constitutions. In the opening of the political struggle preceding the Revolution they with all conservative men rallied around their institutions of Government, adapting the one word Union as the comprehensive indices by which was originally meant our constitutional Government as composed of our State sovereignties and Federal sovereignties as created by our constitutions, and under the ruling cry of Union formed a party, and as such party prepared to resist all political encroachments upon our institutions.

After Mr. Lincoln's first proclamation many of our best men, believing that the call for troops was only to defend the Capital against attack as threatened in the imprudent speech of Mr. Secretary Walker, again rallied to the cry of Union. And then began the separation of friends in East Tennessee. At the time the separation was slight; on the stump the discussion became bitter. The breach was widened and culminated in the proposition to dismember our State. That passed away, and the great wrong to the people by the Union leaders

was here committed of again rallying as a party under the cry of Union for the purpose of preventing men who had advocated the separation of the State from the Federal Union from being elected to office. Step by step (many steps taken in consequence of the rashness, not to say wickedness, of the men who claimed to control Southern counsels in East Tennessee) the people were led on until as a whole they took what they felt they had the right to take, the ground of neutrality, so far as active hostilities were concerned. This I tell you was the actual condition of East Tennessee when it was proposed to enforce the conscript law. I told you that they would turn their strength against whichever Government attempted to force them from their position; that if the effort was made to enforce the conscript it would ruin us and greatly damage the Confederacy; that we would get no soldiers; that it would cause a stampede to Kentucky in part and a hiding out in the caves and mountains, and in the end the destruction of our section; that where we would get one man as a recruit we would send three to Kentucky and require the withdrawal of two soldiers from the army to protect East Tennessee; that we would send 10,000 men to Kentucky to the Federal lines clamoring for assistance to recover for them their homes, from which they claim to have been driven; and that in all probability another effort would be made to invade East Tennessee. What I then predicted is now in part the history of this unhappy country. If you will require a report from the enrolling officer at Knoxville you will find that he has not added to the strength of the Army. He has not mustered into service as many men as have been taken from the ranks to hunt up conscripts and guard exposed points, the guarding of which has been rendered necessary by the excitement incident to this false move.

In addition to this a raid has been made upon our railroad, and every day the enemy receives full information of the state of our forces, and unless you can get the President to interpose and arrest the evil every man of the old Union party will leave. The expenses of the department are very heavy, an officer for every district in each county, any number of braided and brass-buttoned gentlemen who ought to be with their commands taking their ease as recruiting officers, besides the soldiers that are detailed to police the county and hunt up conscripts. It is now apparent to all (except a special few whose notions of a cleansing of the political sanctuary urge to seize upon the opportunity to drive from the country all who are not active political friends) that the effort to conscript East Tennessee is not only a failure, but a disastrous calamity to our cause. East Tennessee has been regarded as one of the most important sections of the Confederacy, not only on account of her geographical position and her connecting railroads, but on account of her stock and grain. Our Union men of East Tennessee did more to further our cause in 1861 by the supplies furnished than they could have done had they been zealous secessionists and in the Army, and so in 1862, though greatly interfered with by the State draft. And so now we need the labor of the farmers of East Tennessee upon their farms more than we need their unwilling service in the field, could we even get them into the Army. They are willing to work, and under the influence of General Smith's proclamation of last spring were beginning to become interested in the success of our cause, as it gave to them so advantageous a market freed from the hitherto almost overpowering competition of Kentucky and the Northwestern States. When Governor Harris attempted to

enforce his draft in East Tennessee last spring a fearful stampede commenced and was in steady progress. General Smith by his proclamation stopped the execution of the law and invited the people to return. They did so by the thousands, not only those who had crossed the lines as citizens, but some who had entered the Federal service, some of whom are now in our Army as willing volunteers. Although the evil is in part beyond our reach, much can yet be done. If the President will under the act of Congress suspend the enforcement of the conscript law in East Tennessee and by his proclamation invite all East Tennesseeans to return to their homes, restoring them to citizenship and assuring them that during the present struggle they should [not] be required to enter the Army against their will, upon condition that they devote themselves industriously to the cultivation of their farms, all who have not yet left home will remain, all who are out in the caves, mountains, &c. (and their name is legion), will at once return, and so will every man in Kentucky who is not in the Federal Army, and all in the Army who can get a good chance to desert.

Nine-tenths of the producing labor of East Tennessee is white labor, hence, when by conscription or stampeding the men subject to military duty leave, the labor of East Tennessee is gone. There are within our borders at this time thousands of families left without any male members capable of labor. These helpless women and children are to become a charge upon the public, for whatever may be the sins of their husbands and fathers the Southern people cannot deal cruelly with them. Acts of vengeance to our women and children we must leave to our enemies with which to blacken the pages of history.

I commend to your consideration the views here so hastily and imperfectly expressed, and beg of you to interest yourself in behalf of East Tennessee. I of course do not expect my plan to be literally pursued. If any of my suggestions are adopted, all I desire is, all I seek to do is, to get before the President the true state of things in East Tennessee, relying upon his superior judgment to devise the mode of relief. Please excuse my intrusion and the length of my letter. I am not in the habit of inflicting such penance upon public men.

I am, sir, yours,

ROBT. M. BARTON.

[First indorsement.]

FEBRUARY 14, 1863.

Respectfully submitted to the President.
For Secretary of War:

J. A. CAMPBELL,
Assistant Secretary of War.

[Second indorsement.]

FEBRUARY 28, 1863.

For more than a year the general views expressed have been acted on. Often warned that the clemency shown was unjustified, the hope was still entertained that it would avail. Even now it is not proposed to mete to them a harder measure than is elsewhere provided, but if we are to have the hostility of the class called in East Tennessee Union men, it were better they should be in the ranks of the enemy than living as spies among us and waiting for opportunity to strike.

The commanding general of the department will, I am sure, be as lenient as is proper, and mindful of the need we have that the fields be cultivated.

J. D.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 10. } *Richmond, January 24, 1863.*

The following orders are published for the information of all concerned:

I. The duties of signal officers are confined to those bearing commissions as such, appointed under the acts of Congress approved April 19, 1862, and September 27, 1862.

II. To any general officer requiring a signal officer and entitled thereto, one will be assigned by the Adjutant and Inspector General.

III. All signal officers are required to make their reports, returns, &c., through the senior signal officer on duty at the seat of government, and paragraph IX, General Orders, No. 40, must be more strictly observed.

By order:

S. COOPER,
Adjutant and Inspector General.

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
Shelbyville, January 25, 1863.

Colonel BRENT,
Assistant Adjutant-General:

To-day I have worked through six brigades; will continue the work to-morrow. Colonel Biffle's regiment has moved north in the field work, and will to-morrow rake this county from near the enemy's lines south. I have made provisions with General Wharton to cover the movement and protect the command. General Forrest is present and informs me that Dibrell's regiment is on the way through Marshall County to Fayetteville. I have sent a courier for him and will order him directly to the starting-ground to sweep the four corners of the counties referred to in my dispatch yesterday. I will then sweep over Williamson and Maury. I applied to General Cheatham for an officer to carry forward my instructions to Tullahoma and place the details from that corps under working orders, but he declines allowing even for that temporary service any officer that I think equal to the work. I cannot put that duty on one in whom I have not full confidence. I see no alternative but to come forward myself, but it would have greatly advanced my work if he would have allowed me the use of a satisfactory officer. If I had the corps of Lieutenant-General Hardee under working orders I could see my work going on satisfactorily. The general may rely on my doing all that it is possible to accomplish.

Respectfully,

GID. J. PILLOW,
Brigadier-General, C. S. Army, and Chief of Bureau.

CONFEDERATE STATES OF AMERICA,
QUARTERMASTER-GENERAL'S OFFICE,
Richmond, January 26, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: In connection with my communications of December 9 and January 8, replies to which have not been received, I deem it my duty to submit the following additional statements upon the subject of the transfer of the control and supervision of railroad transportation from the Quartermaster's Department to Col. W. M. Wadley, assistant adjutant-general:

Nearly two months have elapsed since that transfer was made, during which time both the country and the Army have continued to look to this department to regulate the transportation of military supplies by railroads, and to fill with promptness not only the ordinary requisitions of the service, but to meet also the extraordinary demands resulting from unexpected emergencies. An instance of recent occurrence furnishes an example in point. On the evening of the 23d instant I read letters from General Lee to the President of the gravest importance. They contained strong representations of the scarcity of provisions in his command, and of great delay in the transportation of stores of every description which were essential to the Army of Northern Virginia, menaced, as it was, with the advance of the enemy. Regarding the case as of urgent necessity, I devolved upon officers of this department the duty of sending forward these supplies with the utmost dispatch. The character of the service rendered will appear from the report of Captain Carrington, herewith inclosed.*

I respectfully submit that although the responsibility, and to no small extent the duties, of regulating the transportation by railroads are still devolved upon me, I am entirely uninformed what measures have been adopted by Colonel Wadley to secure the prompt transportation of army supplies. Notwithstanding the inseparable connection of the department with this subject, it is unadvised of the instructions given by him to the railroad authorities, and of the conditions and terms of such arrangements as he has made since he assumed the control of railroad transportation. I have, however, deemed it my duty to adopt such measures as were indispensably necessary to the public interests, and have therefore immediately provided by my orders for a continuance of transportation over the East Tennessee and Virginia road, interrupted by the destruction of the Holston and Watauga bridges. Thirty car-loads of much-needed supplies of subsistence stores and cloth were reported to me as detained at Charlotte, N. C., and I have also been advised of serious detention in the transportation of guns, ordnance stores, ammunition, &c. I brought these and other cases to the attention of Colonel Wadley, but I have not been informed by him whether the delay has been remedied, and am therefore unable to give satisfactory assurances on the subject when applied to by the officers to whom the information is important.

I beg to repeat, therefore, my earnest conviction that it is essential to the public service that the control of this important branch of military transportation should not be transferred from this department, and that at least the officer to whom its supervision is intrusted should be required to report with sufficient regularity to this office to enable

*Not found.

me to know the precise arrangements existing between the Government and the railroads, and their capacity to meet all demands for transportation of troops and military stores. Without such information I cannot reasonably expect that the duties of my department can be performed without constant difficulty and perplexity.

I am, sir, very respectfully, your obedient servant,

A. C. MYERS,
Quartermaster-General.

RALEIGH, N. C., *January 26, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: When I received the appointment of assistant adjutant-general for the purpose of superintending Government transportation by railroads, I hoped to induce the officers of all roads in the country to co-operate with each other and with me to meet the wants of the Government for transportation, but my experience thus far has convinced me that in this I shall be disappointed, and that some additional authority will be necessary to enforce the requirements of the Government in this branch of the service. There are many roads the officers of which evince a desire to co-operate and conduct transportation in such a manner as to meet fully the wants of the country, while there are others, I am constrained to say, that have not by their works shown a disposition to meet the necessities of the Government in this particular.

In no case have I met with any that openly avow an unwillingness to do all that is required, but there is a degree of demoralization extant which induces some to make all manner of excuses rather than take hold honestly to do the work. I therefore have recently had my attention directed to some measure that will tend to cure this evil, and have concluded that the best and probably the only remedy capable of reaching the difficulty will be an act of Congress providing for Government to take possession of any railroad that fails to perform promptly Government transportation.

The necessity for such authority is greatly to be deprecated, but while it exists the exigency of the public service demands that the most effectual remedy should be at hand.

The constitutionality of such an act I presume would not be questioned; the only difficulty would be to settle upon a reasonable compensation.

This should be moderate, for the purpose of inducing companies to make every exertion to prevent their roads from being taken possession of. To those meeting the requirements of the Government this law would have no terror, while to laggards it would act as a spur and might render its use unnecessary.

If a measure of this character is entertained, I should think it ought to provide for taking possession of any road failing to perform Government transportation promptly, upon the following terms:

First. Fifteen days' notice to be given to the president and directors of any railroad failing to perform promptly Government transportation of the intention of the President of the Confederate States to cause possession of the road to be taken unless the cause of complaint be removed, or a good and sufficient reason for such complaint be given within that time.

Second. In the event that a road is taken, three commissioners to be appointed to make an inventory of the property and its condition, one to be appointed by the President of the Confederate States, one by the Board of Directors of the road to be taken, and one by the Governor of the State in which the road to be taken may have its domicile.

Third. The road and property taken to be returned at the end of the war in like good order and condition as when taken, and 4 per cent. per annum to be paid semi-annually upon the cost of the work taken as it stands upon the books of the company.

Fourth. Roads taken to be under the management of the officer having charge of Government transportation by railroad, whose duty it shall be to cause to be kept an exact account with each road, crediting each with its earnings, which shall include all Government transportation, as though worked by the company owning it, and debited with all its expenses, including the 4 per cent. provided to be paid the company. The officer having charge of this branch of service to give such bond and be governed by such rules as may be prescribed by the Secretary of War.

I am, sir, very respectfully, your obedient servant,

WM. M. WADLEY,
Assistant Adjutant-General.

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
Shelbyville, January 26, 1863.

Colonel CAMPBELL,
Principal Assistant for Middle Tennessee:

Colonel Avery has instructions to sweep the county of Lincoln, arresting stragglers, absentees, deserters, and all men liable to the operations of the conscript law and bring them in to you. Having performed that duty, you will hold him in hand and use his command as actively as possible in gathering up stragglers and conscripts in the counties of Franklin, Lincoln, Giles, Lawrence, and in that portion of North Alabama laying along the Tennessee line within the counties above indicated. I will put a working force in the other counties myself. I inclose you a copy of General Orders, No. ——.* You will furnish copies of it to your surgeons. You will find also a copy of the instructions under which this working force is placed in the field on this duty.† You will give like instructions to Colonel Avery on the duty to which you may assign him. For the present leave that command under your orders for the service in the counties indicated above. You will exercise your own judgment as to the best plan of operations, but accomplish the work in the shortest possible time consistent with its proper execution. In very bad weather it will be proper to suspend the work and avoid exposing Avery's command too much. The roads will soon become so very bad that small commands, barely enough to perform the duty assigned, should be sent out.

I have applied to General Bragg to provide you a surgeon. I shall proceed to Columbia to-morrow to organize subdepartments below and direct the operations of two other regiments of cavalry I have in hand. From there I will proceed to Huntsville.

Respectfully,

GID. J. PILLOW,
Brigadier-General, C. S. Army, Chief of Bureau.

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* Not found as an inclosure and not otherwise identified.
† See Series I, Vol. XX, Part II, p. 498.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, January 26, 1863.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

SIR: I had the honor to complain to His Excellency the President and your immediate predecessor, Mr. Randolph, in regard to the manner of enforcing the conscript act in this State and of disposing of the men in regiments during the month of October last. I am compelled again, greatly to my regret, to complain of the appointment of Colonel August as commandant of conscripts for North Carolina, who has recently assumed command here. Merely alluding to the obvious impropriety and bad policy of wounding the sensibilities of our people by the appointment of a citizen of another State to execute a law both harsh and odious, I wish to say, sir, in all candor, that it smacks of discourtesy toward our people, to say the least of it. Having furnished as many (if not more) troops for the service of the Confederacy as any other State, and being, as I was assured by the President, far ahead of all others in the number raised under the conscript law, the people of this State have justly felt mortified in seeing those troops commanded by citizens of other States, to the exclusion of the claims of their own. This feeling is increased and strengthened into a very general indignation when it is thus officially announced that North Carolina has no man in her borders fit to command her own conscripts, though scores of her noblest sons and best officers are now at home with mutilated limbs and shattered constitutions. Without the slightest prejudice against either Colonel August or the State from which he comes, I protest against his appointment as both unjust and impolitic. Having submitted in silence to the many—very many—acts of the Administration heretofore so well calculated to wound that pride which North Carolina is so pardonable for entertaining, it is my duty to inform you that if persisted in the appointment of strangers to all the positions in this State and over her troops will cause a feeling throughout her whole borders which it is my great desire to avoid.

Trusting, sir, that you can appreciate the feelings of our people and will pardon the frankness with which I have spoken,

I have the honor to remain, most respectfully, your obedient servant,

Z. B. VANCE.

[Indorsement.]

TO CONSCRIPT BUREAU:

When and why was Colonel August sent to North Carolina? Have you at command any equally competent North Carolina officer for the position?*

J. A. S.,
Secretary.

[JANUARY 26, 1863.—For proclamation of Governor Vance in relation to the return of deserters from North Carolina organizations, see Series I, Vol. XVIII, p. 860.]

GENERAL ORDERS, No. 11. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, January 27, 1863.

The military courts appointed and organized under the act approved October 9, 1862, will be governed and controlled, as other courts-mar-

*See Rains to Seddon, January 30, p. 378.

tial, by the Articles of War and Regulations of the Army, in connection with the aforesaid act of October 9, 1862.

Their proceedings will therefore be subject to review by the commanding general of the army corps to which they are attached, who, by the decision of the President, is the proper reviewing officer of all such proceedings, under the provisions of the law and the Articles of War. The original proceedings of these courts, after final action is had on them, will be transmitted to the office of the Adjutant and Inspector General, agreeably to the ninetieth article of war.

By order:

S. COOPER,
Adjutant and Inspector General.

RICHMOND, VA., *January 27, 1863.*

His Excellency JOHN GILL SHORTER,
Montgomery, Ala.:

SIR: Your letter forwarding a copy of the joint resolution of the Legislature of Alabama, expressing readiness to unite with other States in guaranteeing the debt of the Confederate Government proportionally to representation in Congress, has been received. I regard this as a most important step and feel grateful for its initiation. That the Government may be enabled to conduct the war to a speedy and honorable peace, it must have ample means and credit, and our financial system cannot fail to acquire the liberty [*sic*] from the policy you have inaugurated. Alabama has thus given another proof of the zeal and determination which have characterized her in the prosecution of the war for independence; and it is to be hoped that the other States will pursue the same course in reference to the public debt.

Very respectfully, yours,

JEFFERSON DAVIS.

RICHMOND, VA., *January 27, 1863.*

His Excellency JOSEPH E. BROWN,
Milledgeville, Ga.:

SIR: I have received and read with interest your letter indorsing a copy of an act and joint resolution of the Legislature of Georgia, partially prohibiting the cultivation of cotton in the State during the continuance of the war, and urging upon planters the necessity for increased attention to the production of provisions. The inauguration of this policy affords me great gratification. This prompt and emphatic expression by the Legislature of the sentiment of the people of Georgia, it is to be hoped, will be met by the concurrent action of the other States upon the subject; and from the general adoption of the scheme we may anticipate the best results. The possibility of a short supply of provisions presents the greatest danger to a successful prosecution of the war. If we shall be able to furnish adequate subsistence to the Army during the coming season we may set at defiance the worst efforts of our enemy. A general compliance by the farmers and planters, therefore, with the suggestions of this joint resolution will be the guaranty of our independence.

Very respectfully, yours,

JEFFERSON DAVIS.

GENERAL ORDERS, No. 12. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, January 28, 1863.*

I. Candidates for appointments of artillery officers for ordnance duty, who have passed their examinations at the headquarters of any army, army corps, or department, may be placed on ordnance duty as acting ordnance officers. The number so placed on duty shall not exceed one-half of the whole number passed there, and shall be taken from the head of the list, without reference to the grade for which they are recommended.

Acting ordnance officers, so placed on duty, shall be entitled to pay as first lieutenants, if recommended for that or higher grade, and as second lieutenants, if not recommended for higher grade.

Commissions will be issued as soon as the examinations are completed in all the armies, and will be for grades and of dates to correspond with the general roll of merit established by the examiners.

II. The Quartermaster's Department will issue to officers of the Army, on duty enrolling conscripts, such fuel and stationery, within the limits prescribed by existing regulations for allowances to public offices, as shall be certified by those officers to be indispensable for the proper discharge of their duties.

The legitimate expenses of the performance of such duty will be paid, in the case of enrolling officers not commissioned, upon accounts approved by the commandant of conscripts for the State, or commander of camp of instruction.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, January 30, 1863.

His Excellency Z. B. VANCE,
Governor of North Carolina:

SIR: I am surprised to learn from one of your late letters that you consider the Department to have interfered irregularly with the appointment of officers to some State regiments from North Carolina for the war. I am unconscious to what regiments or appointments you refer, and certainly have had no intention of trenching on your prerogatives. One appointment alone, that of Lieutenant-Colonel Moore, to a regiment to be composed, as at the time was directed, of a North Carolina battalion and of some conscripts then at Raleigh, was made by me, as from subsequent information, I fear, without sufficient care, but it was done in supposed deference to your own wish, on the representation you had desired the regiment to be so formed and the particular officer appointed. If in this a mistake has been committed it will be cheerfully corrected; but I should be pleased to learn first that you had not desired the appointment. You will also gratify me by informing me what regiments you regard as State regiments to which your power of appointment extends, and on what ground the claim rests. I do not find in the Adjutant-General's Office any distinction of the kind made, nor can I learn that a claim of appointment has been asserted by you to any.

I have the honor to be, with high consideration and esteem, respectfully, yours,

JAMES A. SEDDON,
Secretary of War.

Resolutions vindicating the loyalty of the State of North Carolina and its General Assembly.

Whereas, various slanderous reports have been circulated, both in the State and out of it, reflecting upon the loyalty of the members of this Legislature and the people of this State, and ascribing to them hostility to the Confederate Government and a desire to reconstruct the Union: Therefore,

Be it unanimously resolved, That as the representatives of the people, and in our own behalf as individual citizens of the State, we protest against and denounce these accusations as utterly false in letter and in spirit, as calculated to misrepresent the sentiments of those who have never faltered in the support of all constitutional measures for the prosecution of the war, and as tending to produce jealousies and heartburnings among a people who have sealed their devotion to the cause of Southern independence with their blood upon the proudest battle-fields of the revolution; that the charge of a desire on a part of this Legislature, or any portion of it, to conflict with the Confederate Government or to embarrass the President in the prosecution of the war, is grossly untrue, illiberal, and slanderous; that we hereby pledge ourselves most heartily and emphatically to the most vigorous Constitutional war policy, promising in the name of North Carolina the most liberal contribution of men and money to the support of it, and protesting against any settlement of the struggle which does not secure the entire independence of the Confederate States of America.

Resolved, That the Governor be requested to communicate a copy of these resolutions to the Governors of the several States of the Confederacy, and also to our own Senators and Representatives in Congress, to be laid before their respective bodies.

Read and ratified in General Assembly this 30th day of January, A. D. 1863.

R. S. DONNELL,
Secretary House of Commons.
R. W. LASSITER,
Secretary of Senate pro tem.

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., January 30, 1863.

Hon. J. A. SEDDON,
Secretary of War:

SIR: I have the honor to state for the information of the War Department as follows:

Colonel August fell under the orders of this Bureau as an officer disabled for field duty by wounds received in battle, and one of a class which the Bureau was directed to make available where opportunity presented, in the business of conscription and the like. His rank (full colonel) was too high for him to be assigned to any post less than that of commandant of conscripts for a State, and as we could not avail ourselves of his services here without disadvantage to the public service, it became necessary to send him to some other State. The conscription business in North Carolina was under the charge of a captain only, his two heretofore senior officers having gone from camp into action in another part of the State (under what circumstances it is not known), and being, according to their own

report, unexchanged prisoners. Colonel Mallett, the senior, was known to be so wounded that it would probably be long before he could return to duty, yet his so returning was to be ultimately looked for. It was believed that the services of an active officer were very necessary in North Carolina for a time, and Colonel August's disability not unfitting him, he was ordered there, that this Bureau and this service might have the immediate benefit of the inspection and activity expected from him. His order bears date the 12th instant, but he was not actually sent until the 20th instant. It has been my impression from what took place in the case of Colonel Lee, late of the Forty-fourth [Thirty-third] Virginia Regiment, that the War Department saw no objection in principle to assigning an officer from one State to the command of conscripts in another. That officer was referred here from the Department to see if a place could be provided for him, and it was expressly suggested by the Secretary on the papers that he should be sent to some duty in a more southern State. His former rank forbade him to be thought of for any post less than that of State commandant, and it was suggested by me that he should be commissioned a lieutenant-colonel and sent to Alabama as commandant of conscripts for that State. This suggestion was understood to be approved, and intended to be carried out until some question arose as to the law in regard to appointments for duty with conscripts. As the Governor appears to have taken exception to this temporary appointment, I will change it, but I have no knowledge of any officer from North Carolina of the rank and qualifications necessary to fit him for this position, having received no application, and I will be very thankful for being enlightened and to have the assistance of the Governor in this particular, assuring him that my interest in the well-being of my native State would not allow my doing anything detrimental to her welfare or honor. Finally, the business of this Bureau, connected with the Army generally, and the standing orders from the Department particularly to avail ourselves of wounded and disabled officers for such services, entirely divest it of a sectional policy, which, if carried out, might throw upon our hands unemployed officers who might otherwise benefit the country.

I have the honor to be, very respectfully, your most obedient servant,

G. J. RAINS,
Brigadier-General and Superintendent.

GENERAL ORDERS, No. 13. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, January 31, 1863.*

I. The following arsenals, armories, depots, &c., are immediately under charge of the War Department, and its orders will be given directly through the Ordnance Bureau, viz:

Richmond Arsenal, Richmond, Va.; Richmond Armory, Richmond, Va.; Fayetteville Arsenal and Armory, Fayetteville, N. C.; Charleston Arsenal, Charleston, S. C.; Augusta Arsenal and Powder-Works, Augusta, Ga.; Macon Arsenal, Macon, Ga.; Macon Armory, Macon, Ga.; Macon Laboratory, Macon, Ga.; Columbus Arsenal, Columbus, Ga.; Atlanta Arsenal, Atlanta, Ga.; Mount Vernon Arsenal, Mount Vernon, Ala.; Montgomery Arsenal, Montgomery, Ala.; Selma Arsenal, Selma, Ala.; Jackson Arsenal, Jackson, Miss.; Greensborough Depot, Greensborough, N. C.; Danville Depot, Danville, Va.; Lynchburg Depot, Lynchburg, Va.; Little Rock Arsenal, Little Rock, Ark.; Texas Arsenal, San Antonio, Tex.

II. The stores fabricated and deposited at these posts are to be drawn out on requisitions, as designated in section V, Ordnance Regulations.

III. Officers stationed at the arsenals and depots will, on their first arrival, report in person or by letter to the commanding general of the department, and will obtain leave of absence from him; but while liable to requisitions made upon the arsenal or armory, as provided above, are subject to orders only from the War Department, through the Ordnance Bureau.

IV. The quartermasters' depots at Augusta, Atlanta, and Columbus, Ga., and at Montgomery and Huntsville, Ala., having been established by the direction of the War Department to supply the necessities of the Army at large, are placed under the special control of the Quartermaster-General, though subject to the inspection of the commanding officers of the departments in which they are located. Issues from these depots will be made by order of the Quartermaster-General, upon requisitions of chief quartermasters, approved by commanding generals.

By order:

S. COOPER,
Adjutant and Inspector General.

Consolidated report of the Army of the Confederate States of America, January, 1863.

[Found with papers of the Quartermaster-General C. S. Army.]

Department.	Commander.	Effective.	Aggregate.
Northern Virginia	General R. E. Lee	88,884	153,958
South Carolina, Georgia, and Florida	General G. T. Beauregard	21,353	32,212
Department of the James and North Carolina.	Major-General Smith	18,200	21,170
Department North of the James	Major-General Elzey	6,225	10,033
Department of Tennessee	General B. Bragg	51,030	88,484
Department of the Gulf	General S. B. Buckner	7,345	10,395
Southwestern Virginia	Maj. Gen. S. Jones	4,000	6,700
District of Louisiana	Maj. Gen. R. Taylor	6,882	7,233
Trans-Mississippi Department	General T. H. Holmes	50,000	50,000
Department of the Mississippi	General Pemberton	56,600	70,240
Wilmington District	General Whiting	6,000	7,160
Department of East Tennessee	General E. K. Smith	8,600	15,419
Grand total and aggregate		325,119	473,004

GENERAL ORDERS, No. 14. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, February 3, 1863.*

I. The second clause, paragraph IV, of General Orders, No. 72, of 1862, is hereby revoked.

The fourth clause of same paragraph is amended as follows:

On a certificate of disability, with recommendation for furlough or discharge, signed in due form by examining board and approved by the senior surgeon of the post, the commander of the post may grant the soldier a furlough not to exceed thirty days and submit the application for a longer period to the general to whose command the soldier may belong, or he may refer, without granting the furlough, to the discretion of said commanding general.

II. The superintendent of the Niter and Mining Bureau is authorized and directed to enforce existing contracts of the Government in iron, lead, and other munitions. When iron and other articles thus contracted for and needed for the service are ascertained to have been

sold at private sale, or are not promptly delivered according to the terms and spirit of the contract, they may be taken wherever found, and upon requisition assistance shall be afforded by the commandant of the nearest post or camp of instruction to the officer or agent of the Mining Bureau specially charged with the enforcement of the contract.

When a contract shall have been persistently violated, after ten days' notice all detailed or conscripted men will be withdrawn and assigned to other works.

By order:

S. COOPER,
Adjutant and Inspector General.

SPECIAL ORDERS, No. 28. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, February 3, 1863.*

* * * * * * *

XI. Maj. Thomas D. Armesy is authorized to raise a battalion of cavalry or infantry within the enemy's lines in Northwestern Virginia, and Capt. William F. Gordon is authorized to raise a company in conjunction with Major Armesy.

XII. Authority (not a commission) is hereby granted B. F. Parks to raise a company in Kentucky or Kentuckians coming out of the State for service.

* * * * * * *

By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

HOUSE OF REPRESENTATIVES,
February 3, 1863.

Hon. J. A. SEDDON,
Secretary of War:

DEAR SIR: Inclosed please find the letter of Mr. Walter Goodman, president of the Mississippi Central Railroad Company, setting out the present dilapidated condition of that road, the importance of which in a military point of view cannot well be exaggerated. The proposition of Mr. G. is to obtain permission of the Government to export cotton for the purpose of procuring those supplies without which, he says, the road must be abandoned. The president has a perfect knowledge of the importance of the road referred to, and has recently had the opportunity of seeing something of its present condition. As to the proposition to export cotton, it is one which has been so frequently made to you, and under so many different phases, that I presume your views on the subject are well matured, and I shall therefore offer no suggestions. As I expect to visit Mississippi in a few days and to meet with Mr. Goodman, you will oblige me if you can at an early day put me in possession of your response to the application. Permit me, also, to request that you will direct an early reply to be made to my letter inclosing one from General Henry, of Mississippi, relative to the pay of the troops lately commanded by Col. W. C. Falkner.

Very respectfully,

J. W. CLAPP,
Member of Congress, First District of Mississippi.

[Inclosure.]

OFFICE MISSISSIPPI CENTRAL RAILROAD COMPANY,
Grenada, January 23, 1863.

Hon. J. A. SEDDON,
Secretary of War, Richmond:

DEAR SIR: I find it almost impossible, and it will soon be quite so, to keep our road and its equipments in repair and running order. We are in great need of all materials used in repairs and construction. One-half of our engines are now useless for the want of materials to repair them; our cars are in a dilapidated condition and cannot be repaired from the same cause; a considerable quantity of the rails on our road have been permanently injured by our own army and that of the enemy. All of our workshops and many of our passenger and freight houses have been burned by direction of our military authorities. Unless we can procure articles necessary for the repairs of our road and equipments, I do not see how our road is to be kept in running order for more than six months longer. I desire to import articles of immediate necessity, and would make the attempt if I could command the means of payment. I cannot procure gold or sterling exchange. I desire permission to be granted to this company to export cotton, an article I can procure to the amount necessary to pay for the articles that it is necessary for me to procure, and that such cotton shall have safe conduct through the Confederate lines. It will require an expenditure of $500,000 to put our road and its equipments in as good repair as it was one year ago.

I am, with respect, your obedient servant,

W. GOODMAN,
President.

Abstract of summary statement showing quantity and value of army supplies purchased and shipped by Maj. C. Huse on account Confederate States Government.

One hundred and thirty-one thousand one hundred and twenty-nine stand of arms, as follows: Seventy thousand nine hundred and eighty long Enfield rifles, 9,715 short Enfield rifles, 354 carbine Enfield rifles, 27,000 Austrian rifles, 21,040 British muskets, 20 small-bore Enfield, 2,020 Brunswick rifles, at a cost, including cases, molds, kegs, screw-drivers, &c., of £417,263 9s. 11d.

One hundred and twenty-nine cannon, as follows: Fifty-four 6-pounder bronze guns, smooth; 18 howitzer bronze guns, smooth; 6 12-pounder iron guns, rifled; 2 howitzers, iron; carriages and caissons for same; 6 rifled Blakely cannon; 6 3.10-inch carriages for same; 18,000 shells for same; 2,000 fuses; 3 rifled cannon, 8-inch Blakely; 680 shells for same; 12 rifled steel guns, 12-pounders; shot, shell, &c., for same; 32 bronze guns, rifled (Austrian), with caissons, &c., complete; 10,000 shrapnel shells and fuses for same; 2 bronze guns, rifled; 200 shells and fuses; 756 shrapnel shell, round; 9,820 wooden fuses; 4 steel cannon, rifled, 9-pounders; 1,008 shells and fuses for same; 220 sets harness; spare parts artillery harness, &c.; all costing £96,746 1s. 8d.

One thousand two hundred and twenty-six cavalry equipments, 16,178 cavalry sabers, 5,392 cavalry saber-belts, 5,392 cavalry saber-knots, 1,360 cavalry Humnals [*sic*], 1,386 cavalry surcingles and pads; total expended for cavalry, £20,321 12s. 3d.

Fifty sets Webb harness (104, 3, 18, leather weight), 456 leather butts, 198 leather packages; all costing £9,717 11s.

Thirty-four thousand seven hundred and thirty-one sets accouterments; 40,240 gun slings; 34,655 knapsacks, complete; 4,000 canteen straps; 81,406 bayonet scabbards; 650 sergeant's accouterments; all costing £54,873 16s. 3d.

Three hundred and fifty-seven thousand pounds cannon powder, 94,600 pounds musket powder, 32,000 pounds rifle powder, 900 pounds bursting powder, 4,137,000 cartridges for small-arms, 2,800 chlorate potassa (pounds), 1,024 hundredweight saltpeter, 89,900 friction-tubes (not all the details to hand as to cartridges), 10,100,000 percussion-caps; all costing £47,010 10s. 3d.

Quartermaster's Department.—Seventy-four thousand and six pairs boots, costing £28,422 16s. 4d.; 62,025 blankets, £23,903 2s. 11d.; 78,520 yards cloth, £24,660 15s. 5d.; 8,675 greatcoats, £13,294 17s. 8d.; 8,250 pair trousers, £5,144 11s. 3d.; 170,724 pair socks, £9,292 18s. 7d.; 6,703 shirts, £738 9s. 8d.; 17,894 yards flannel, £1,632 5d.; 97 packages trimmings, £3,435 11s. 6d.; total expended in clothing, &c., £110,525 3s. 9d. Forty-six sets armorer's tools, 36 sets saddler's tools, 10 sets farrier's tools, 3,336 pieces serge for cartridge bags, 2,000 cartridge bags, 1,013 hundredweight lead, 100 hundredweight sheet copper, 16 flags, £13,432 10s. 7d. worth medical supplies, 87 tarpaulins, 10 hundredweight shellac, 1,192 boxes tin plate, 75 packages steel, 64 hundredweight steel; total for medical and other supplies as above, £33,049 6s.; freight, railway carriage, &c., £49,683 19s. 5d.

Supplies that have been shipped.

	£	s.	d.
For small-arms	417,262	9	11
Artillery and harness	96,746	1	8
Accouterments, &c	54,873	16	3
Ammunition	47,010	10	3
Leather	9,717	11	0
Clothing	110,525	3	9
Medical supplies	13,432	10	7
Ordnance stores, &c	19,616	15	5
Freight, railway carriage, &c	19,732	7	8
Insurance, &c	29,951	11	9
Total	818,869	18	3

Supplies now in London ready for shipment.

23,000 rifles to be delivered at Nassau (value at Nassau)	87,950	0	0
20,000 scabbards	1,500	0	0
46 casks saddler's material	631	5	0
11 cases nitric acid	38	4	8
2,012,000 cartridges	5,533	0	0
3,000,000 percussion-caps	681	0	0
10,000 pouch tins, prepared for accouterments, order [illegible]	250	0	0
286 ingots tin	628	2	6
931 pigs lead	1,252	17	9
3 cases thread, &c	240	17	3
1 bale serge	60	19	6
13,750 pair trousers, Quartermaster's Department	8,565	2	1
14,250 greatcoats, Quartermaster's Department	23,835	13	17
1,804 pair boots, Quartermaster's Department	887	11	6
4 chests tea, Medical Department	48	7	6
Total value	249,853	1	0

In Vienna awaiting payment.

	£	s.	d.
30,000 rifles	115,500	0	0
30,000 scabbards	2,250	0	0
Total expended and under order	117,750	0	0
Shipped up to date	818,869	18	3
Ready for shipment in London, to be shipped by December 15	249,853	1	0
In Vienna waiting payment	117,750	0	0
	1,186,472	19	3
Received by Fraser, Trenholm & Co	613,589	0	0
Total required	572,883	19	3

[Indorsement.]

FEBRUARY 3, 1863.

Respectfully referred to the Secretary of War for information as to purchases made by Major Huse.

J. GORGAS,
Colonel, Chief of Ordnance.

BUREAU OF SUBSISTENCE,
Richmond, February 4, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: A practice has prevailed for some time of sending special messengers with supplies sent from the south this way. This practice has been adopted in the hope that it would tend to obviate much of the delay continually consequent in transportation, and also prevent the very heavy loss of supplies on the different railroads in their transit.

From full information and reflection I have concluded that this practice accomplishes no good whatever, and at the same time entails a very heavy and unnecessary expense on the Government, and therefore I shall give orders that in the future it be discontinued.

The only effectual system to improve the evils above mentioned, which are daily becoming greater, is to require the quartermasters stationed at the various points where different railroads unite, and bulk has to be broken and changed, to superintend such transshipment and change, and to keep an accurate account of the quantity and condition of the supplies delivered by one road and reshipped on the other, noting any deficiency between amount of supplies delivered and the bill [of] lading and waybill sent with them, and immediately informing the quartermaster who settles the charges of transportation of any deficiency which may have occurred, and the railroad on which the loss or damage was incurred and also the commissary for whom the supplies are destined.

This will enable the Government to fix the railroad upon which the responsibility for such loss or damage properly belongs, and to recover from such railroad the payment of all loss and damage which they may have occasioned, which cannot be done now.

The existence and enforcement of this responsibility will beget and insure carefulness and diligence on the part of all railroad agents.

This plan does not propose to do anything more than require the quartermasters to discharge the duties enjoined on them by the Army Regulations.

From the time that supplies belonging to the Subsistence or any other bureau are required to be transported from one point to another, they from that moment, by the Regulations, and must of necessity, become solely under the control of the Quartermaster's Department (which is alone charged with transportation), and so remain until they arrive at their point of destination, and are delivered to the commissary or other officer to whom they were consigned. No other system will answer, and it is of vital importance that the enforcement of these duties should commence at once.

In giving the orders directing the discontinuance of special messengers I shall further direct that the commissary making the shipment shall immediately notify all the superintendents of railroads over which the supplies are to pass that such supplies have been shipped, and asking them to expedite the transportation of the supplies over their respective roads.

This plan seems to be only a half measure, but Colonel Wadley requests me to do so, and I shall omit upon no occasion to do and to order to be done anything that I can to assist him in the discharge of his duties.

In conclusion I beg to urge upon your consideration the system first herein proposed as absolutely essential.

I have the honor to be, very respectfully, your obedient servant,

L. B. NORTHROP,
Commissary-General C. S. Army.

[First indorsement.]

Referred by Secretary of War to Quartermaster-General.

[Second indorsement.]

QUARTERMASTER-GENERAL'S OFFICE,
February 11, 1863.

Respectfully returned to the Secretary of War.

Plans are now being matured which it is believed will secure the discovery of all losses on railroads, and ascertain the company which is responsible. It cannot go into operation immediately. In the meantime Colonel Northrop's suggestions may be advantageously adopted, and [an] order to that effect will be issued.

I concur in his further suggestions that the system of sending with freight special messengers should be abandoned.

A. C. MYERS,
Quartermaster-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 4, 1863.

His Excellency Z. B. VANCE:

SIR: Some six or eight weeks since I invited your attention to the importance of the railroad connection to be made by the Confederate Government, under act of Congress, between Danville, Va., and Greensborough, N. C., and invoked your aid to command the slave labor requisite for its early completion. You then declined any interposition in this respect, under the conviction that with adequate energy on the part of the contractors a sufficient number of slaves might readily be obtained at not unreasonable rates. Will you excuse

my again asking your attention to this subject and soliciting a reconsideration of your decision? I am assured that every effort has been made and that rates exceeding in liberality current prices for hire have been freely offered without success in obtaining the required labor. Some impression has prevailed that slaves employed in this locality had peculiar facilities of escaping, and hence the unwillingness of their owners in the eastern counties to hire them to the contractors; besides, there is a general disinclination to hire servants, to be employed on works of this character, where large numbers are assembled.

Serious delay must therefore occur unless the authority of your State can be exercised to provide an adequate number of slave laborers for the work. In consequence, it is respectfully submitted to you to determine whether the importance of this work does not justify, if it does not require, such exercise of your authority. Full hires shall be paid, and every care possible shall be taken to provide for the comfort and safety of the slaves.

In connection with the same subject allow me to ask your attention to a petition which I understand has been presented to your Legislature, seeking such change in the charter of incorporation for the connecting road as will allow conformity of gauge throughout and prevent the necessity of a break at Danville. The importance of this, in view of the usefulness of the road for military operations, needs no comment; but, in reference to the future advantages of the road to your State interests, I may be permitted to suggest that a break at Danville could only operate injuriously, as it would tend to make that place more decidedly a depot and a place of transfer. All considerations seem to recommend the proposed change of charter, and it would be gratifying to this Department if you could concur in this view and lend your potent influence to induce the amendment.

With great esteem, very respectfully, yours,

JAMES A. SEDDON,
Secretary of War.

RICHMOND, VA., *February 5, 1863.*

Col. A. C. MYERS,
Quartermaster-General, Richmond, Va.:

SIR: The inclosed slip, cut from a morning paper, is sent to you for your attention. If the abuse described exists, it should be promptly corrected and the offender held to a due responsibility. If the statement be incorrect, it is due to yourself and the service that the misstatement should be exposed.

Very respectfully,

JEFFERSON DAVIS.

[Inclosure.]

[Slip from Examiner.]

Plenty of clothing for the troops.

It will be seen from the report of the Quartermaster-General, sent to the Confederate Senate by the President in reply to certain resolutions recently adopted by that body, that officers of the Army are allowed fabrics from the Government Clothing Bureau when the stock is in excess of the wants of the private soldier in the field. We take

it that the stock of clothing material now on hand is very abundant, as the officers of the Army may be seen daily at the merchant tailor establishment on Main street selling at an advance of from 100 to 200 per cent. the cloth obtained by them from the Clothing Bureau.

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
Columbia, February 5, 1863.

Col. GEORGE W. BRENT,
Assistant Adjutant-General:

I will hold this place unless driven off by an overwhelming force. I am sending to the army men. I am taking measures to procure the negro teamsters. I hope to succeed, without offense to the country or violence to its rights, by a proper appeal to its patriotism. I have dispatched a courier to-day to General Wheeler apprising him of the position and strength of the enemy. I had previously sent two couriers. I have information to-day that our cavalry force was at Palmyra, on the Cumberland River, about twelve miles below Clarksville, on Tuesday; also, that my first dispatch, apprising them of the position of the enemy, was received. This intelligence was not received until since I had sent off my last courier.

The general order requiring [that] the cavalry who [have] not efficient horses shall be conscripted and placed in the infantry service can be carried out when I shall have completed the organization of this bureau and placed the whole field of labor under efficient government.

The only way of carrying out the order will be for the general to order a strict inspection of each regiment, and requiring a report to be made to me of the names of the men who are not properly mounted. This being done, I can then proceed with that branch of the service.

I thought, however, I had better put the whole corps of officers intended for this duty to work, and to sweep the country near the enemy's lines by cavalry before I undertook work which could wait without prejudice.

When this inspection is going on it will be necessary for the regiments to be ordered to the rear of the army one at a time. This inspection ought to be made by the staff officers, acting under the immediate orders of the general commanding. The whole country to the rear of the army is swarming with these men on lame, sore-backed, and broken-down horses, who are a great annoyance to the population and are eating up the subsistence and forage, which ought to be husbanded for the efficient of the army. The cavalry arm of the service would be greatly more efficient if it was relieved of these hangers-on.

It will require a good while to go through with these inspections and get up the reports, and if that service is ordered and the work done now it would greatly facilitate my work hereafter in this branch of my duties.

On Monday next I expect to leave for Pulaski, where I shall only remain two or three days, and proceed from that place to Huntsville. There are a large number of disaffected men in the mountainous regions of Alabama, south of Tennessee River, and in Jackson County, which will require more cavalry force there. The Georgia battalion ordered to report to me has not done so.

I inclose you herewith a copy of dispatch* received to-day from Colonel Lea, from which the general will perceive the inadequacy of the cavalry force at that place. As the general's time is much occupied by the important duties of the command, I fear some of my wants and suggestions may be overlooked. I desire, colonel, that you will give special attention to this matter, and keep them in mind until action is taken. I applied for a field officer from General Hardee's corps five days ago, but none has reported, and my work is delayed for want of one.

I transmit herewith bonds for Colonel Biffle's quartermaster and commissary, also bond for an assistant quartermaster, with rank of captain, whom I am obliged to have for the rendezvous in the lower sub-department. Thomas J. Brown is my son-in-law and will make an efficient officer, and [I] ask the appointment of the general.

Respectfully,

GID. J. PILLOW,
Brig. Gen., C. S. Army, Chief of Vol. and Conscript Bureau.

GENERAL ORDERS, No. 15. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, February 6, 1863.*

I. All commissioned officers of the Army in the service of the Confederate States who are absent from their respective commands without sufficient authority, and from whom satisfactory reports have not been received, will be considered as no longer in service thirty days after the publication of this order, when their names will be erased from the returns of regiments and corps. All quartermasters of the Army charged with the payment of troops are hereby prohibited from making payments to officers who do not exhibit sufficient authority for absence from their proper commands; and where any doubt exists in the mind of the paying officer for want of such authority, he will suspend payment and report the case to this office, with the name and residence of the officer so absent and the regiment or corps to which he belongs.

II. Where occasions may arise in military commands for charges against a disbursing officer of the Army, arrest will be stayed until a report of the facts in the case is duly made to the War Department, through the office of the Adjutant and Inspector General, and the officer will continue to discharge his duties until the Department shall take proper measures for his relief from duty.

III. In Congressional districts where surgeons cannot be "employed" to complete the examining boards for conscripts, directed in previous orders, the commandants of conscripts may constitute such boards, temporarily, by medical officers under their authority.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, February 6, 1863.

Hon. J. W. CLAPP,
House of Representatives:

SIR: I have received your letter, inclosing a communication from the president of the Mississippi Central Railroad. In reply I have the

*Not found.

honor to say that no objection is entertained to the shipment of cotton (on payment of the export duty) to neutral ports, and the introduction of such materials, &c., as may be required by the railroad indicated. A permit is not needed under the law, but if required is hereby given.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

EXECUTIVE OFFICE,
Richmond, February 7, 1863.

The HOUSE OF REPRESENTATIVES OF THE CONFEDERATE STATES:

I have this day received the following resolution:

Resolved, That the President be requested to inform this House whether private property of citizens not in the Army has been seized and confiscated by his order or not; and if it has been, for what offense and under what law such seizure and confiscation have been ordered,

And reply that no private property of citizens, either in or not in the Army, has been seized and confiscated by my order.

JEFFERSON DAVIS.

GENERAL ORDERS, No. 16. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, February 7, 1863.

I. The special measures instituted in the circular from this office of the 8th of January, ultimo, were intended to aid, and in nowise to supersede the operation and rules of the regularly established system of conscription. Reports have been received that officers thus sent from the Army have been practically setting aside the system, decisions, and exemptions established under the authority of the commandants of conscripts in the respective States, and are neglecting to make to those officers any returns of the conscripts gathered by them.

It is hereby ordered that all officers acting under the authority of the circular in question shall refrain from interference with any conscripts already in the custody of the officers regularly on conscription duty, and shall assert no claim over them, otherwise than by estimates on the commandants for the quota to which their regiments shall be entitled, under the principle of pro rata distribution; also, that they shall respect certificates of exemptions issued by regular enrolling officers, reporting for decision of the commandants any case in which the exemption may appear to them to have been improperly granted; that in no case shall they themselves grant certificates of exemption or detail; that in all doubtful cases or cases of appeal from their decision, they shall refer to the regular enrolling officers or the commandants, and that they shall furnish to the local enrolling officers, or the commandants of conscripts for the State, descriptive lists of all persons within conscript ages recruited or gathered by them.

II. The commandants of conscripts, in making their reports to the Bureau of Conscription, will return separately the conscripts gathered and reported to them under the system instituted by the circular above referred to.

By order:

S. COOPER,
Adjutant and Inspector General.

[FEBRUARY 8, 1863.—For Bonham to Seddon, transmitting copy of act of the South Carolina General Assembly amending the negro labor law of December 18, 1862, &c., see Series I, Vol. LIII, p. 280.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, Va., February 9, 1863.

Hon. J. A. SEDDON,
Secretary of War:

SIR: I have been painfully impressed with the conviction, from what has fallen under my observation and experience, that in confining, by regulation of the War Department, the ages of conscripts between eighteen and forty years we shall fall far short in filling up the ranks of the Army to the maximum organization prescribed by existing laws. The conscription acts contemplate a reserve of conscripts to be kept on hand, to be drawn upon from time to time, to replace casualties, &c., in the regiments as they occur. This, taken in connection with the large number of exemptions authorized by those acts, renders it the more important, in my judgment, to extend enrollment to the full age authorized by law, in order to keep the Army up to its establishment. I therefore recommend that conscription between the ages of eighteen and forty-five years be at once required.

Very respectfully, your obedient servant,

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, February 9, 1863.

Hon. W. P. MILES,
Chairman, &c., House of Representatives:

SIR: I have the honor to inclose a report from the Adjutant-General, in response to your letter of the 16th ultimo requesting me to furnish the Military Committee with certain information in reference to the number of troops in the service, &c. I regret the want of proper returns renders it impossible to supply the information sought.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

[Inclosure.]

RICHMOND, *February 7, 1863.*

Honorable SECRETARY OF WAR:

SIR: In reply to the inclosed request* from the Committee on Military Affairs, through Hon. W. P. Miles, I beg to state that every effort has been made to obtain the desired information; but, for want of proper statistical returns from the different commands, I find it impossible to furnish any statement that could approximate the information sought,

I am, very respectfully, &c.,

S. COOPER,
Adjutant and Inspector General.

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*See January 16, p. 359.

CHARLESTON, S. C., *February 9, 1863.*

Hon. C. J. VILLERÉ, *Richmond, Va.:*

MY DEAR CHARLES: Your favor of the 2d instant has been received. I agree with you that our country is getting rapidly exhausted and that few conscripts have joined our worn-out standards, but I still hope for success. The people and the States have a latent power and energy which make up, when the hour of trial arrives, for the total inefficiency, or inertness, if you prefer, of the Confederate Government. The latter instead of being an aid to the former, is more a dead weight. Look at the condition of our troops in the field, at the number of conscripts still at home. Would not, could not, a proper and vigorous system have prevented the evils complained of? Assuredly they would. Why is it that after a war of two years we still have but one foundry in the country, and that one near the enemy, where the largest pieces of artillery can be cast? What would have become of us if Richmond had been taken last summer? Where would we have obtained 10-inch columbiads and 7-inch rifled guns if that misfortune had befallen us? Why have we not more iron gun-boats afloat? At this moment there are five here on the stocks unfinished for the want, some of engines and some of iron plating. Why have you not committees investigating all these things and making faithful reports of them without fear or favor, but not like the one which investigated, or rather pretended to investigate, the shortcomings of the Commissary Department last December a year ago at Manassas, where neither papers nor persons were sent for, but the sponge passed blandly over the absurdities and gross neglects of that poorest of all apologies for a chief commissary of so many large armies in the field as we have, and in a country so poorly supplied as ours. The best and most successful grocer in the country ought to have been selected for that difficult position; but who is he that was appointed? Ask any of the members of Congress or of the Army from this State and they will tell you, if they fear not to express their opinions.

You refer to an armistice. Nothing of the kind must be thought of. Action, action, and action is what we want. An armistice would entirely demoralize our troops, who would think the war over, and every soldier and officer would wish to go home to see their wives, children, and negroes, horses, hogs, and chickens, &c.; whereas the enemy, having nothing of the kind to look to, would at any time be prepared to take the offensive. Only pass strong resolutions offering peace to the Northwestern States, with a treaty of alliance, offensive and defensive, whenever they shall separate from the rest of the United States. They may not accept it at first, but they will think about it and discuss it. It will be a beacon for those who are tired of the war to steer by, and finally, after one or more severe battles, will make up their minds that we are their best friends, and they will act as we desire. What in the world is the policy of the Government? Why can't we have a Cavour to shape it and steer the ship of state through the breakers? Why have we not ministers at the courts of Spain and Brazil, our two natural allies? Mr. James B. Clay has just passed here, an exile to Cuba. Why is he not sent on account of his name to one of those two countries, &c.? I am glad to see by the telegraph you have stopped flogging in the Army. I had done so long ago. That system will not do with volunteers. The service must be elevated in their eyes and not degraded. But adieu.

Yours, truly,

G. T. BEAUREGARD.

AN ACT making appropriations for the support of the Government, for the period from February first to June thirtieth, eighteen hundred and sixty-three, inclusive, and to supply deficiencies arising prior thereto.

The Congress of the Confederate States of America do enact, That there be appropriated and paid out of any money in the Treasury, not otherwise appropriated, the following sums of money, and for the following purposes, viz:

* * * * * * *

War Department.—For compensation of the Secretary of War, Assistant Secretary, Chief of Bureau, clerks, messengers, &c., in said Department, ninety-six thousand seven hundred and fifty dollars.

For incidental and contingent expenses of the War Department, fifty-four thousand dollars.

Quartermaster's Department.—For the pay of the Army, one hundred and nineteen million two hundred and seventy thousand seven hundred and seventy-one dollars.

For the transportation of troops and their baggage, of quartermaster's stores, subsistence, ordnance, and ordnance stores from place of purchase to troops in the field; purchase of horses, mules, wagons, and harness; purchase of lumber, nails, iron, and steel for erecting store-houses, quarters for troops, and other repairs; hire of teamsters, laborers, &c., forty-seven million seven hundred and eight thousand three hundred and eight dollars.

For pay for horses of non-commissioned officers and privates killed in battle, under act No. 48, section 7, and for which provision is to be made, one hundred and twenty-five thousand dollars.

For pay for property pressed into the service of the Confederate States, under appraisement, said property having been either lost or applied to the public service, one hundred and eighty-seven thousand five hundred dollars.

For the sustenance of prisoners of war, under act No. 181, section 1, and the hire of the necessary prisons, guard-houses, &c., for the safe-keeping of the same, or so much thereof as may be necessary, one million dollars.

For the bounty of fifty dollars to each non-commissioned officer, musician, and private now in the service for three years or for the war, to be paid at the expiration of the first year's service, on the basis that sixty thousand men will have to be paid, three million dollars.

For pay of the officers on duty in the offices of Adjutant and Inspector General's Department, the Quartermaster-General's Department, Medical, Engineer, Ordnance, and Subsistence Departments, three hundred and twenty-three thousand three hundred and fifty dollars.

Commissary Department.—For the purchase of subsistence stores and commissary property, forty-eight million six hundred and fifty-six thousand five hundred dollars.

Ordnance Department.—For the ordnance service in all its branches, twelve million five hundred thousand dollars.

For the purchase of pig and rolled iron, three million dollars.

For the purchase and manufacture of niter, four hundred thousand dollars.

Engineer Department.—For the engineer service, three million dollars.

Medical Department.—For pay of private physicians employed by contract, one hundred and fifty thousand dollars.

For pay of nurses and cooks, not enlisted or volunteers, two hundred and forty thousand dollars.

For pay of hospital stewards, sixty thousand dollars.

For pay of matrons, assistant matrons, and ward matrons, two hundred and forty thousand dollars.

For pay of ward-masters, one hundred and fifty thousand dollars.

For pay of hospital laundresses, fifty thousand dollars.

For medical and hospital supplies, two million five hundred thousand dollars.

For the establishment and support of military hospitals, one hundred and fifty thousand dollars.

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Approved February 10, 1863.

SPECIAL ORDERS, No. 36. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., February 12, 1863.*

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IX. Paragraph V, Special Orders, No. 18, current series, is hereby revoked, and the following is substituted instead: For the completion of public vessels, as also for the construction of certain railroad connections which, as necessary for military operations, Congress has authorized, and for the repair of other roads essential to the Government and the public for transportation, iron being indispensable and not within the reach of the Government through the ordinary sources, Col. J. F. Gilmer, chief of the Engineer Bureau, and Maj. I. M. St. John, chief of the Niter and Mining Bureau, are appointed to act, with an officer to be designated by the Navy Department, as a commission to examine and advise on what railroads in the Confederate States the iron on their tracks can best be dispensed with. In making this inquiry the commission will be governed by the public interest, and will leave out of consideration all roads and portions of roads required for military operations and defenses, and also such as are indispensable in carrying supplies for the public use. They will also inquire and report the best means of obtaining the iron suitable for such roads and apportioning the same, and how the rails removed may be exchanged for equivalents in value of more defective rails, to be rolled and used for naval purposes.

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By command of the Secretary of War:

JOHN WITHERS,
Assistant Adjutant-General.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, N. C., February 12, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have the honor to acknowledge the reception of your letter of the 4th instant, invoking the aid of the authorities of the State to procure labor for the completion of the Danville railroad, and also asking my influence with the Legislature in securing the gauge of that road to correspond with that of the Virginia road. The object is a most important one and commends itself strongly to my favor; but under

all the circumstances I feel compelled to decline impressing slaves to aid in its completion. For many months past the eastern part of this State has been furnishing labor upon all the public works from Wilmington to Petersburg, and no less than twenty counties are now so employing their slaves. In the region through which this road runs there are very few slaves, and the very existence of the people requires them to labor on their farms. In addition to the fact that this road is viewed with almost universal disfavor in the State as entirely ruinous to many east of it, and that the charter never could have been obtained but as a pressing war necessity, I feel it due to candor that I should add there exists a very general impression here that upon the completion of the Danville connection, as it is termed, the eastern lines of our roads would be abandoned to the enemy. How far this opinion does injustice to the purpose of the War Department I am not able to say; I merely state the fact. For these reasons, with the additional one that this road is constructed by private contractors, I do not feel that I could be justified in forcing the labor of citizens upon it. I assure you I regret this exceedingly, not only on account of the importance of the work itself to our military operations, but also because it is exceedingly unpleasant for me to refuse to do anything whatsoever which is requested by the Confederate authorities and regarded as important to the general cause. I would suggest, however, that a large number of free negroes might be obtained in the adjoining counties of Virginia and North Carolina, and if this species of labor could be made available, my assistance in gathering it up shall be promptly rendered. In regard to the gauge of the road I have to say that the proposition to make it conform with the Virginia road had been disposed of in the negative before yours was received.

Very respectfully, your obedient servant,

Z. B. VANCE.

RICHMOND, FREDERICKSBURG AND POTOMAC
RAILROAD COMPANY, PRESIDENT'S OFFICE,
Richmond, February 12, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I understand the result of your conversation yesterday with Capt. John M. Robinson to be this: That the War Department of the Government of the Confederate States, in order to secure the importations of munitions of war, is now engaged, through its agent in Great Britain, in purchasing steamships in which those munitions will be imported into a port or ports of the Confederate States, and considering these supplies, which are necessary to the maintenance of the railroads in these States which propose to import them, as scarcely less essential to the success of our arms than these munitions of war (if not in some sense entitled to be considered themselves munitions of war), the War Department agrees that a certain portion of the cargoes of these steamships, to be determined by the War Department or its agent in Great Britain, may consist of these supplies for these railroads upon the payment by the companies owning those railroads of the tolls or freight charges prevailing among shipowners for similar freights and voyages at the dates of such shipments, or at the option of these railroad companies, upon their assuming and paying for such a portion of the steamship, her equipment, and outfit complete, and of all the other expenses of the voyage, including (if

paid by the War Department also) the wages of her commander and crew, as the tonnage of freights shipped in that ship and on that voyage shall be of the whole tonnage of the whole cargo shipped in that ship and on that voyage.

As it will be necessary to have upon this subject the definite decision and action this afternoon of the directory of this company, and to-morrow at noon of a convention of the railroad companies interested, may I ask of you the favor to indorse on this letter (of which a copy can be retained in the Department) your written statement confirming, or if necessary modifying, the understanding herein expressed, so that these meetings of the directory and of the convention may have, respectively, a written definite proposition to act upon.

Your prompt reply will greatly oblige,

With much respect, your obedient servant,

P. V. DANIEL, JR.,
President.

[First indorsement.]

FEBRUARY 26, 1863.

The Department can make no contract with the railroad companies for the shipment from abroad of such needed supplies for their roads as they may buy, for its own arrangement for the procurement and employment of suitable vessels for running the blockade and making such shipment are as yet too contingent and uncertain to justify its coming under any positive engagements. The Department, however, fully appreciates the importance to the public service that these railroad supplies should be obtained as early and with as little risk as possible, and gives its assurance of willingness, in case its expected arrangements are completed, and it can command the requisite vessels, to allow the supplies of the road to be shipped on its vessels, the road either taking a share in the venture of ship and cargo for the voyage proportionate to the value of their lading or paying freight at the existing rates on vessels proposing to run the blockade.

JAMES A. SEDDON,
Secretary of War.

[Second indorsement.]

The railroad companies referred to in the above indorsement are authorized to send that indorsement with their instructions to Captain Robinson, of the Con[federate] service, who is expected to act as their agent in procuring abroad necessary supplies, and he will be at liberty to exhibit the same to Major Huse or Mr. William G. Crenshaw, or any other agent of this Department who may, under its instructions, have shipping at command for transportation of supplies to satisfy them of the views of this Department.

J. A. SEDDON,
Secretary of War.

GENERAL ORDERS, No. 17. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, February 13, 1863.*

I. The following additional appointments under the act of October 9, 1862, providing for the establishment of military courts, are announced for the information of all concerned:

Lieut. Gen. J. C. Pemberton's corps: George B. Wilkinson, presiding judge, Mississippi; John J. Good, Texas; Henry W. Allen, Louisiana; John P. McMillan, judge-advocate, Missouri.

Lieut. Gen. W. J. Hardee's corps: John C. Moore, presiding judge, Alabama; Samuel J. Gholson, Mississippi; Taylor Beatty, Louisiana; Benton Randolph, judge-advocate, Texas.

II. The above-named members will report without delay to the commanding officers of the respective army corps to which they belong, to whom their letters of appointment will be forwarded, except where they may be called for at this office at an early day.

III. In all cases where the sentence of a court-martial directs a forfeiture of pay, the just dues of the laundress are to be understood as always excepted from such forfeiture. This exception will embrace sums which have accrued as well as those which become due during the term of the sentence.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA,
QUARTERMASTER-GENERAL'S OFFICE,
Richmond, February 14, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have the honor to acknowledge the reference to this office of the resolutions passed by the Legislature of Georgia in regard to the official conduct of quartermasters, commissaries, surgeons, &c.,* with your instruction to institute inquiries to ascertain if the alleged abuses exist.

I respectfully state that at my instance General Johnston detailed an officer of rank to make strict investigations of all abuses in the quartermaster's and transportation departments within the limits of his command. Every suggestion and all information calculated to facilitate the discharge of his duties have been furnished to that officer so far as in my possession, and it is expected that his examination and investigations will be thorough and efficient.

I have also detailed an officer of this department to make similar investigations in another quarter, and so soon as an additional proper officer can be spared from other duties I propose to enlarge the field of investigation.

By these means your instructions in regard to the State of Georgia can be carried out, and the department will be enabled, it is hoped, to ascertain what abuses exist in its administration in that portion of the Confederacy.

Very respectfully, your obedient servant,

A. C. MYERS,
Quartermaster-General.

[Inclosure.]

A RESOLUTION.

Whereas, there is complaint against the quartermasters, commissaries, surgeons, agents, and other officials connected with the War Department of the Confederate States in regard to the performance of the various duties connected with their respective positions, and

*Filed as an inclosure to this paper, with the indorsements thereon.

much loss to the Government and injury to the hungry, half-clothed, sick, and wounded soldiers has been and will be occasioned by their improper conduct, much of which has failed to come to the knowledge of the head of the department: Therefore,

Resolved (1) *by the Senate and House of Representatives of Georgia*, That the Secretary of War be, and he is hereby, earnestly requested to institute investigation into the conduct of all the aforesaid officers and agents, and especially as to the conduct of the surgeons in the different regiments and at the hospitals, and their assistants and nurses and ward-masters, and especially as to the conduct, contracts, &c., of quartermasters, commissaries, and agents in their own localities and elsewhere, and whether or not they may have been interested, directly or indirectly, as silent partners or otherwise, in Government contracts, and what speculations they have engaged in on their own account, while they were in the pay and employment of the Government, and the manner in which they have performed their duties in furnishing our soldiers with the necessaries of life, and in all cases where the investigation discloses any want of ability or fidelity or neglect of duty, to remove such officer or agent after seeing that he is punished for the same, and appoint such only in his place as can produce full and satisfactory evidence of his competency and good moral character.

Resolved (2), That His Excellency the Governor be requested to present this subject, with a copy of these resolutions, to the Secretary of War, with such suggestions as to the remedy for these grievances as he may think proper.

Resolved (3), That a copy of these resolutions be forwarded to each of our Senators and Representatives in Congress, with a request that they use their influence for the passage of such laws as will most likely remedy the evils complained of.

JOHN BILLUPS,
President of the Senate.
JAMES M. MOBLEY,
Secretary of the Senate.
PETER E. LOVE,
Speaker of House of Representatives, pro tem.
L. CARRINGTON,
Clerk House of Representatives.

Assented to December 13, 1862.

JOSEPH E. BROWN,
Governor.

[First indorsement.]

FEBRUARY 3, 1863.

I do not know what other disposition to make of this resolution than to lay it before you and respectfully call your attention to its contents.

AUGUSTUS R. WRIGHT.

[Second indorsement.]

Submitted to the Surgeon-General and the heads of other bureaus referred to, who will institute all inquiries in their power to ascertain if the alleged abuses exist and what remedies should be adopted.

J. A. S.,
Secretary.

[Third indorsement.]

OFFICE COMMISSARY-GENERAL OF SUBSISTENCE,
February 14, 1863.

Under existing circumstances and laws, the Commissary-General of Subsistence has found it almost impracticable to obtain the removal of an officer when the facts obviously indicate it.

L. B. NORTHROP,
Commissary-General of Subsistence.

[Fourth indorsement.]

COMMISSARY-GENERAL:

Specify the cases referred to and the laws and circumstances that preclude removals when necessary.

J. A. S.,
Secretary.

[Fifth indorsement.]

OFFICE COMMISSARY-GENERAL OF SUBSISTENCE,
February 19, 1863.

In response to the requirement of the Secretary of War, I refer to the case of J. B. Magruder and the great difficulty of getting a general rule, sound in principle, enforced. In the case of Capt. J. S. Ryan, a full report of which last case will be found in a communication to the Secretary of War dated December 30, 1862.

In respect to the final case, see papers presented to the Adjutant and Inspector General in August last, which, from what the Honorable Secretary of War stated a short time since, seem about being laid aside.

L. B. NORTHROP,
Commissary-General of Subsistence.

GENERAL ORDERS, } HDQRS. LA. ARMY, ADJT. GEN.'S OFFICE,
No. 8. } *Alexandria, February 14, 1863.*

I. Persons liable to military duty in State service have the privilege of volunteering until the militia is called out on the 1st day of March next, and no longer. The privilege cannot be granted after the militia is called out, unless it is availed of immediately at the time of such call.

II. Volunteers will receive $50 bounty on being mustered in, $16 a month, and eighty acres of land at the close of the war. In the event of death in the service, the land to go to the heirs of the deceased volunteer. (See section 12, Volunteer Act.)

III. Militiamen will receive neither bounty nor land, and but $11 a month, and in the event of their not reporting within ten days after notice of a call by the enrolling officer, which call shall be made on the 1st of March, they shall be considered deserters and liable upon conviction to the death penalty. (See section 25, Militia Law, approved January 3, 1863.)

IV. No male free white person between the ages of seventeen and fifty, capable of bearing arms and not actually in the civil or military service of the Confederate States, can be exempt for any cause whatever except those mentioned in the second section of the act approved January 3, 1863. (See section 2, Militia Law.)

V. Exemptions from Confederate service do not exempt from militia service, and the exemptions by law as quoted above are exclusive of all others.

VI. A person manifestly incapable of bearing arms, as one having lost an arm or a leg, or being paralyzed or bedridden, is exempt by law, but when the incapacity is such as can only be taken notice of by a surgeon, the certificate of a surgeon in the service of the State must be obtained. Post surgeons will be qualified to give such certificates in future orders.

VII. Enrolling officers will enroll no men detailed from Confederate service, but will be careful not to confound details with exemptions. Persons are not detailed from Confederate service to remain on plantations, and such persons are therefore liable to militia duty. General officers will detail men for such service to act as a police force. (See section 23, Militia Law.)

VIII. Persons liable to militia duty and neglecting to report as provided by law are subject to the penalty prescribed above (see Paragraph III) whether they have been enrolled or not.

IX. Enrolling officers will be held strictly to the discharge of their duties under the law, and the penalties attached will be enforced. (See section 19, Militia Law.)

They will proceed as soon as practicable to the organization of companies, and when companies for any cause neglect or refuse to elect their officers, the privates will be assigned to other companies at the discretion of the commander-in-chief.

By command of Thos. O. Moore, Governor and commander-in-chief.

C. LE D. ELGEE,
Adjutant-General of Louisiana.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 14, 1863.

DEXTER H. HITCHCOCK, Esq.,
Richmond, Va.:

SIR: Your personal application for a license to carry a train of wagons into Mexico, loaded with cotton and other produce, with a view to return with supplies and merchandise, and the testimonials to your fidelity as a citizen of the Confederate States, have been considered. The latter are satisfactory. The Department does not claim itself, nor has it authorized any military commander, to interpose any obstacle to a trade with Mexico; but, on the contrary, has directed the commanding general of the Department of Arkansas and Texas (General Holmes) to countermand orders on the subject, and copies of that letter have been sent to Generals Magruder and Bee, to Galveston and San Antonio.

The act of Congress of May 21, 1861, which prohibits "the exportation of cotton from the Confederate States, except through the sea-ports of said States, and to punish persons offending therein," does not profess to interfere with the exportation of cotton along the western border of Texas. On the contrary, the act declares "that nothing in this shall be so construed as to prohibit exportation of cotton to Mexico through its coterminous frontier." Therefore, upon complying with the revenue laws, in reference to the exportation of cotton, you will have entitled yourself to export your property of that kind, and as the export duty on cotton is the only duty that has been

laid on exports, other articles may be exported. The Department, so far from discouraging adventures of this kind, will be pleased to see them undertaken and successful.

Straitened as the Confederate States have been by the rigor of the blockade and the number of cruisers of the enemy, anything that will serve to supply the wants of the Army and the necessities of the people, so far from being an object of disfavor with the Department, is quite the reverse.

The Department has explained its opinions and action, so that there need be no mistake. It does not grant a license, for the reason that it might be interpreted as the assumption of a control over the subject on the part of the Department, which it disavows any power to regulate or to control, and which has been left free to the citizen by the act of Congress.

By order of the Secretary of War.

Very respectfully, your obedient servant,

J. A. CAMPBELL,
Assistant Secretary of War.

GENERAL ORDERS, No. 18. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, February 16, 1863.*

I. With the exceptions hereinafter named, all outstanding authorities issued from the War Department to recruit persons of conscript age into regiments, battalions, or companies not in service on the 16th day of April, 1862, will be held as terminated from and after the 10th day of March next.

Any new organization that shall meantime have been completed up to the legal standard of a regiment, battalion, or company, as may have been specified in the original authority issued, will be reported before the 10th of March to the Adjutant and Inspector General's Office for muster and reception into service.

The organization itself failing of completion, the material within conscript ages (including officers) of such parts as shall have been enrolled for the special service, will be reported to the local commandants of conscripts, respectively, for enrollment and conscription. These commandants will, however, cause to be allowed to the persons thus transferred, previous to enrollment, the privilege of volunteering in companies that were in service on the 16th of April, 1862.

II. From the operation of this order are excepted new companies or corps in process of organization under authority issuing from the War Department, of a date later than the 10th of December, 1862, and all such as may have been authorized to be recruited from material found within districts possessed by the enemy, or in which the conscript law has been suspended by the President, or in which the regular execution of the conscript law is, from the vicinity of the enemy, unattainable.

III. All officers and persons acting under authority, now and hereafter, to recruit new organizations, will report to the commandants of conscripts in their respective States the names of those persons who are employed by them in enlisting recruits. In the absence of such official evidence the enrolling officers will not recognize the authority claimed.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 19. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, February 17, 1863.*

With a view to determine the military state of certain persons in the Army who have left their regular commands and joined others, under the impression that they had a right so to do, but are claimed as deserters under existing laws, the following orders are published:

I. Persons who joined new companies at the expiration of their first term of service, under the act authorizing re-enlistments for the war, will be continued in their present companies, provided the facts do not show an intention to desert their former commands; also all paroled prisoners whose term of service had expired, and who enlisted in new companies under the provisions of General Orders, No. 44, Adjutant and Inspector General's Office, Richmond, of June 17, 1862, will be continued in their present companies.

II. All persons who have really deserted and have joined other companies will be returned to their original commands, and the benefit of this order is to be strictly limited to cases arising from a misconception of rights and duties under the re-enlistment and conscript laws.

III. The privilege heretofore exercised by troops on the battle-field of exchanging their small-arms and field pieces for those captured from the enemy is hereafter forbidden, and the prohibition will be strictly enforced by commanders. Disasters may easily result from a disregard of this necessary order. All such exchanges must be made by proper authority and with a due regard to the efficiency of the troops. Captured arms and artillery will be turned over to the chief ordnance officer and be assigned, whenever practicable, to the troops to whom the general shall, on testimony, award their capture.

By order:

S. COOPER,
Adjutant and Inspector General.

EXECUTIVE DEPARTMENT,
Tallahassee, Fla., February 17, 1863.

His Excellency JEFFERSON DAVIS,
President Confederate States of America, Richmond, Va.:

SIR: The maintenance of our armies in the field, of the families of those in military service of the civil government of the Confederate States, and the States separately—in a word, not only the liberty, but the lives of the people of the State, depend upon agricultural labor. The advocates of slavery, in our national councils and throughout the various forms of arguments to sustain it, have contended forcibly and truthfully that negroes have not the inclination or ability to labor successfully without the superior skill of the white man to direct and enforce their labor.

Upon slave labor the agriculture of the Southern States is mainly dependent, and consequently overseers for the management and direction of the slaves should be exempt from military service. I say overseers, not owners of slaves, because as a general rule slaves have been managed by overseers, and but few owners have manifested the industry, skill, and energy necessary to successful agriculture.

The safety of the Confederate States demands the exemption of overseers for two important reasons: First, because without them

slaves will not labor in a manner to secure subsistence for the armies in the field, the support of families at home, and to insure the revenue necessary to the Confederate and State governments. Secondly, if left without the control of overseers, to whom they have been accustomed to yield obedience, the result will probably be insubordination and insurrection.

A more effectual auxiliary to the emancipation scheme of Lincoln and for the subjugation of the South could not, in my humble judgment, be devised than an act of Congress, if it shall be respected by the States, which would intrust the agriculture and the lives of families to the slaves, unrestrained by the presence, authority, and skill of overseers.

As a matter of policy, owners and overseers on plantations where cotton shall be planted might be subjected to military service, but on plantations where labor is exclusively directed to the raising of grain, meat, &c., for subsistence, overseers should be exempt from military service.

In a time of profound peace, when not the slightest anticipation of war could have reasonably existed, the General Assembly of this State in its wisdom—the result of experience—enacted a law requiring a white person, either the owner or an overseer, to reside on the plantation where slaves lived, for their proper control and management. A copy of the last act on the subject is herewith inclosed. If the slaves are left without proper management they will not only fail to make the crops, but will destroy the stock necessary to the very existence of the country.

Convinced of the truth of the allegations herein made, as the Governor of the State, and in the maintenance of its laws and for the general welfare of the Confederate States, I feel it my duty to protest against the enforcement of the conscript act in its application to overseers, where necessary to the management and direction of slaves; and more especially on plantations where the labor is devoted to securing the means of subsistence necessary to maintain our armies and protect our people from starvation.

I have the honor to be, very respectfully,

JOHN MILTON,
Governor of Florida.

[Indorsement.]

Secretary of War for attention.

J. D.

[Inclosure.]

CHAPTER 388 (No. 77).—AN ACT amendatory to acts in reference to militia and patrol duties and crimes and misdemeanors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That from and after the passage of this act it shall not be lawful for the owner or proprietor of any farm or plantation upon which slaves are or shall be employed to leave the same without any white person residing thereon, under a penalty not exceeding one hundred dollars, to be recovered by indictment, one-half to the informer and the other half to the use of the county in which the offense or offenses shall be committed.

SEC. 2. *Be it further enacted*, That when the owner or proprietor of a farm or plantation, whether for agricultural or turpentine purposes,

upon which a slave or slaves may or shall be employed, shall not be liable to the penalty herein prescribed: *Provided*, The owner or proprietor manages his own affairs without the aid of an overseer.

SEC. 3. *Be it further enacted*, That any and all laws or parts of laws inconsistent or conflicting with the provisions of this act be, and the same are hereby, repealed.

Passed the House of Representatives January 9, 1851. Passed the Senate January 17, 1851. Approved by the Governor January 22, 1851.

I certify that the above is a true copy of the act passed and approved as above stated, on file in the office of secretary of state.

In testimony whereof I have hereto set my hand and caused the great seal of the State to be affixed at the Capitol this the 16th day of February, A. D. 1863.

By the Governor. Attest:

[SEAL.]

B. F. ALLEN,
Secretary of State.

CIRCULAR.] HDQRS. DEPT. OF MISS. AND EAST LOUISIANA,
Jackson, February 17, 1863.

The following is the indorsement of General S. Cooper, Adjutant and Inspector General, upon certain inquiries as to the liability of Kentuckians to conscription, and is published for the information of all concerned:

The twelve-months' volunteers from Kentucky are embraced in the conscription acts, and are, therefore, liable to conscription at the expiration of their twelve months' service.

Kentucky is considered as a member of the Southern Confederacy, having its representation in the Congress of that Confederacy.

By the order of Lieutenant-General Pemberton.

R. W. MEMMINGER,
Assistant Adjutant-General.

HDQRS. VOL. AND CONSCRIPT BUREAU, ARMY OF TENN.,
Huntsville, Ala., February 17, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

Your telegram of the 15th instant directing me to order Captain Cobb back from the rendezvous at Fayetteville to this post is obeyed. I deem it proper in explanation to state the facts and the sense of duty under which I acted. With extreme reluctance I undertook to organize a bureau for the purpose of strengthening the Army of Tennessee and make it self-sustaining. The service was most distasteful and repugnant to my feelings. But being most urgently pressed by General Bragg to do so, and informed by him that unless his army was strengthened he could not hold Tennessee, I finally entered upon the work from a sense of duty to the country.

I have been engaged just one month and have added to the army, as I am informed by an officer direct from it, over 12,000 men. In this field organization I have met with many difficulties and embarrassments, not the least of which is the want of officers of the quartermaster and commissary staff to provide for the wants of the conscripts

and volunteers and the cavalry force of the different rendezvous which are necessary. In organizing a rendezvous at Fayetteville I applied to General Bragg to supply this want, and he replied that he had no officer who could be spared and that I must make some other shift. I was reluctant to have money placed in the hands of an officer who was not bonded. I saw Major Jones, assistant quartermaster at this post, explained the matter to him, got his consent to perform the duties of post quartermaster; saw Captain Cobb, explained the want to him, and he consented to go to Fayetteville until some other provision could be made. I then gave the order for him to proceed on that duty, directing him to return to this post as soon as that place could be provided for. These are the facts. If I have done wrong in temporarily using an officer you had placed on duty here, I certainly thought that I was advancing the best interests of the service and did not doubt but that you would approve the act. I acted with like motives, though with the approval of General Bragg, given me by telegram, in the order to Colonel Blake, at Knoxville, to forward to his army the conscripts at Knoxville. That was the order Colonel Blake telegraphed you, militated with his instructions.

Having established Colonel Lea, a most efficient officer of the Army, at this place in this bureau, and Major Matthews giving me the information that in the counties contiguous to Fayetteville, in this State, there were 3,000 men liable to conscript duty around in that neighborhood, and having applied to me for orders to be placed at that place, saying he could be much more useful there, I placed him in command at that rendezvous. I fear I have done wrong in that, too. I had supposed the object of the Government was to get the men who are liable as conscripts into the army as rapidly as possible; and having been put on this duty by General Bragg from the supposition on his part that I could render efficient service, and being in the field actively on duty, I cannot but feel mortified that my orders should have given occasion for your displeasure.

I am persuaded that if you could be here yourself and see how little is being done by conscript officers, and how much there is need of an efficient head to that bureau in the field, you would feel less disposed to [find] fault [with] my orders. I will in the future carefully avoid doing anything that can give you cause of reprimand. I will await your orders in regard to ordering Major Matthews back. I make no pretension to the right to interfere with your officers or orders. In my overzeal to be useful and to accomplish much in the pressing wants of General Bragg's army, I presumed too much upon your appreciation of my services and your approval of what I thought was evidently right under the circumstances.

Respectfully,

GID. J. PILLOW,
Brigadier-General, C. S. Army, and Chief of Bureau.

MILLEDGEVILLE, *February 18, 1863.*

His Excellency JEFFERSON DAVIS:

Owing to the drought last summer a large part of Cherokee, Ga., did not make a support. Corn now worth $3 a bushel, and soldiers' families suffering. In this exigency the little supplies of provisions in the hands of a few is being seized by Confederate officers, leaving none to distribute to relieve those likely to starve. If this continues the rebellion in that section will grow, and soldiers in serv-

ice will desert to go to the relief of their suffering families. This conduct of your officers is worthy of your immediate attention, and I beg you to stop it without delay. Plenty of corn can be bought in Southwestern Georgia, and the railroads are at the command of the Confederate officers. Please order them to get supplies for the Army from that section.

I beg an immediate reply.

JOS. E. BROWN,
Governor of Georgia.

[FEBRUARY 18, 1863.—For proclamation of Governor Bonham calling into active service all or such portion of South Carolina militia as may be necessary to repel invasion, see Series I, Vol. XIV, p. 784.]

BUREAU OF CONSCRIPTION,
February 19, 1863.

To His Excellency the PRESIDENT:

SIR: I learn from soldiers just arrived in the city that there is a scarcity of meat in the Army, and they think that if their parents and sisters were appealed to and transportation be furnished a sufficiency of food could be in this way obtained to prevent any suffering.

From my experience when registering "patriotic contributions" in the passport office, I fully concur in the opinion expressed by the soldiers, and I would be glad with the sanction of the Government to try the experiment again. I would use the press, but would not permit regular files of the papers to leave the Confederacy.

The estimated value of voluntary contributions registered in 1861–'62 amounted to more than $1,500,000 at the then current prices. I know many of the principal contributors personally and cannot doubt that they would again respond to the call upon them.

Knowing that you will appreciate my motive, even if it should be deemed necessary to reject my plan,

I remain, honored sir, your obedient servant,

J. B. JONES.

[First indorsement.]

EXECUTIVE OFFICE,
February 19, 1863.

Respectfully referred by direction of the President to the Commissary-General.

J. C. IVES,
Colonel and Aide-de-Camp.

[Second indorsement.]

The Commissary-General has no experience as to this mode of raising supplies and does not think it a promising one, and respectfully refers it to the Secretary of War, if he wishes to direct it.

L. B. NORTHROP,
Commissary-General of Subsistence.

[Third indorsement.]

Reply: It is not deemed judicious unless in the last extremity to resort to the means of supply suggested. The patriotic motives that dictate the suggestion are, however, appreciated and acknowledged.

J. A. S.,
Secretary of War.

GENERAL ORDERS, No. 20. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, February 19, 1863.*

I. General or other officers commanding army corps or departments will cause full returns of artillery, ammunition, and other ordnance stores at the various forts and batteries within their commands to be prepared without delay.

The chief of ordnance of each army corps or department will be held responsible that these returns are forwarded to the chief of the Bureau of Ordnance at Richmond within twenty days after the receipt of this order, and will thereafter see that the returns required by paragraph 1348, Army Regulations, are regularly forwarded.

II. All ordnance and ordnance stores, including cavalry equipments captured from the enemy by partisan rangers, shall be assessed by competent officers under orders of the commanding general, entered upon the rolls, and paid for by any ordnance officer upon receipt for the money from the men entitled to the property, and a property certificate signed by the officer commanding the company, squadron, battalion, or regiment of rangers, as the case may be. The rolls must state distinctly the company, battalion, or regiment to which the arms are assigned, in order that the commanding officer of the same may be charged with the property on the books of the Treasury.

III. Paragraphs 117, 118, and 119, Army Regulations (being contrary to law), are hereby revoked; and no enlisted man in the service of the Confederate States will be employed as a servant by any officer of the Army.

IV. When a non-commissioned officer, musician, or private entitled to a furlough under the acts of Congress approved December 11, 1861, and April 16, 1862, shall elect to receive the commutation value in money in lieu of transportation to his home and back, the quartermaster of his regiment will promptly pay his account therefor, upon his certificate, approved by his company and regimental commanders, that commutation is justly due him in lieu of a furlough.

V. In making such payments quartermasters will estimate the amount due in each case at 2½ cents per mile for the distance the soldier would, if upon furlough, be compelled to travel to and from his home.

VI. Company commanders will be required to state, upon their muster and pay rolls, payments made under these orders, opposite the name of the soldier so paid.

By order:

S. COOPER,
Adjutant and Inspector General.

RICHMOND, VA., *February 19, 1863.*

Governor J. E. BROWN,
Milledgeville, Ga.:

Your dispatch of the 18th received. Secretary of War will give instructions and will write to you on the subject.

JEFFERSON DAVIS.

AN ACT to authorize the issue of bonds for funding Treasury notes.

The Congress of the Confederate States of America do enact, That the Secretary of the Treasury be, and he is hereby, authorized to issue

coupon bonds and certificates of stock, with interest, payable semi-annually, at the yearly rate of eight per cent., for such amount as may be required in exchange for all Treasury notes which are now fundable in eight per cent. bonds, and also to pay for any subscription to the produce loan which may remain unpaid after exhausting the one hundred million loan.

SEC. 2. That the said Secretary is also authorized to issue coupon bonds, and certificates of stock, with interest at the yearly rate of seven per cent., payable semi-annually, for such amount as may be required, in exchange for all Treasury notes which are now fundable in seven per cent. bonds.

SEC. 3. That all bonds issued under this act shall be made redeemable at the pleasure of the Government, after the expiration of five years from their respective dates, but the faith of the Government shall be pledged to redeem the same at the expiration of thirty years from such dates.

SEC. 4. That until the bonds authorized by this act can be prepared, the Secretary may issue in their stead certificates showing the right of the holders to demand bonds of like date and amount, as soon as the same can be prepared.

Approved February 20, 1863.

AN ACT to provide for refunding to the State of Alabama the amount overpaid by said State on account of the war tax, of eighteen hundred and sixty-two.

The Congress of the Confederate States of America do enact, That the Secretary of the Treasury shall have power to adjust and ascertain the true amount of tax due from the State of Alabama, under the "Act to authorize the issue of Treasury notes, and to provide a war tax for their redemption," and the acts supplementary thereto; and upon such accounting said Secretary of the Treasury shall refund to the said State whatever sum may have been overpaid by the authorities thereof, under said act.

Approved February 20, 1863.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 21. } *Richmond, February 20, 1863.*

I. When the exigency of the service requires it, ordnance stores reported unserviceable by the officer who is responsible for them shall be inspected by the brigade inspector, under the direction of the Inspector-General of the Army; or in case of the absence of the brigade inspector, then by any other officer designated by the Inspector-General, except the officer accountable for the property in question.

The inspecting officer shall make a report in accordance with paragraphs 925 and 926, Army Regulations; and whatever stores he considers worn out or unserviceable he shall order, under the direction of the Inspector-General, to be dropped.

II. When requisitions for ordnance stores are made to supply deficiencies, a copy of the report of the inspector shall be appended, to show the necessity of the issue.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 22. } *Richmond, February 23, 1863.*

The following additional instructions are published for the guidance of the medical officers and surgeons composing the boards of examination for conscripts:

I. In their examination of conscripts they must exercise a sound and firm discretion and not yield their judgment in favor of every complaint of trivial disability, by attaching too much importance to which they indirectly favor evasions of the required military service.

II. As a general rule it may be received that where a conscript is equal to all the active duties of the various occupations of civil life he is able to discharge the duties of a soldier.

III. Temporary exemption is so liable to abuse and to be resorted to as a means of evasion that the examining surgeon must fix the period for which it is granted (which, with the reasons therefor, will be stated in the monthly report), at the expiration of which period the conscript must present himself for examination or be considered absent without leave.

IV. The following are some of the grounds not deemed sufficient and satisfactory for exemption:

1. *General debility.*—The grades of this condition are numerous, and on receiving them all as grounds for exemption the examining surgeon cannot be considered as discharging his duty to the service. In arriving at a correct judgment upon this point he will be aided by the consideration that observation has by no means established that a so-called high standard of health is best adapted to encounter the exposures of military life, such physical condition being especially liable to disease, while health of a lower grade, without any coexisting positive disease, is frequently strengthened and improved by the exposures incident to the life of a soldier.

2. In case of *slight deformity*, natural, or the result of accident and irregular union of fractures, unless material impairment of power and motion results from such deformity, the conscript must be held liable for military service.

3. *Deafness.*—This is not a valid reason for exemption, unless so excessive (which must be stated in the monthly report) as to incapacitate a man for the duties of a sentinel. The fact of its existence must also be established by the affidavit of a respectable physician who has known the conscript to be the subject of the infirmity.

4. *Impediment of speech*, unless of a very aggravated character, is not a valid reason for exemption.

5. *Heart disease* (*organic*).—Organic disease of the heart being comparatively infrequent, the physical and rational signs should be scrutinized with great care, and the subject of examination should not be excused unless the case is satisfactorily established.

6. *Functional disturbance of heart's action.*—This is very common, not a valid ground for exemption, and will generally be relieved by change to the life of the camp.

7. *Rheumatism.*—The kind should be designated, whether acute or chronic, articular or muscular. It is a complaint liable to be used as a means of evasion. Where it is simply muscular, without swelling or contraction of the joints, and the general health of the conscript is otherwise sound, he should be held liable to military duty.

8. *Epilepsy.*—This disease being frequently simulated so as to impose upon a careless observer, nothing less than the observation of an actual paroxysm, or the affidavit of a responsible physician

acquainted with the conscript, should be deemed satisfactory by the examining surgeon.

9. *Varicocele.*—Not a ground for exemption, unless excessive, which must be stated in the monthly report.

10. *Myopia.*—Not a ground for exemption. Many myopic subjects distinguish distant objects with accuracy sufficient for all practical purposes.

11. *Hemorrhoids.*—As many invalids in civil life, subjects of this disorder, are engaged in active occupations, they should not, unless excessive (which must be stated in the monthly reports), be considered satisfactory grounds for exemption.

12. *Opacity of one cornea, or the loss of one eye.*—Not valid grounds for exemption.

13. *The loss of one or two fingers.*—Not sufficient cause for exemption.

14. *Single reducible hernia.*—Not a valid cause for exemption.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, February 23, 1863.

Hon. T. S. ASHE and OTHERS,
Representatives from North Carolina:

GENTLEMEN: I have received your remonstrance against the assignment of any other than a North Carolinian as commandant of conscripts in that State. In reply I have the honor to say that your letter has been referred to the Conscript Bureau, with instructions if a competent but disabled officer from North Carolina can be commanded to assign him to that place. Regret is, however, felt that such susceptibility prevails in North Carolina, when it has not been displayed in other States where similar appointments have been made of officers not native. Indeed, some motives of policy would seem to recommend for such positions officers not liable to be affected by local associations or feelings. In this case, too, an officer of acknowledged gallantry and merit, appointed without a thought of exciting such feelings of dissatisfaction, will lose a situation desirable to him till complete restoration can be had from the wounds received in fighting for the common cause. Still, the change will be made to avoid the grave consequences of general dissatisfaction which, in the estimation of honorable Representatives so competent to judge, are likely to result in their State.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 24, 1863.

Capt. J. M. ROBINSON:

CAPTAIN: You are instructed to proceed to England on the special duty of selecting, purchasing, and forwarding certain supplies deemed essential by the Engineer Bureau for the engineer service. You have

been furnished by that Bureau with a schedule exhibiting the nature and quantities of the articles needed, and in purchasing and arranging for the payment of them. You are desired to consult and be guided by the advice of Maj. Caleb Huse, who has been for some time in England acting as the agent, first of the Ordnance Bureau, and more recently of the Department generally in its purchases and payments. You are likewise expected and desired while abroad to perform other duties less directly connected with the service of this Department, suffering under the exigencies of the times for many articles essential to their efficiency. Several of the leading railroad companies of the Confederacy have combined in an effort to procure the needed supply by purchase and importation from Europe. Their success is scarcely less important to this Department than to the public and themselves, and consequently I have consented to afford them such reasonable facilities in effecting their object as the Department can conveniently command. They repose great confidence in the experience, knowledge, and judgment which your past connection with railroad operations and your professional acquirements will afford, and believe that you can most efficiently, as an agent for them, manage the selection, purchase, and shipment of the supplies they require. With your own concurrence, you are therefore authorized and desired while in Europe to act as such agent, and to render to these companies all the assistance in your power in the accomplishment of their enterprise. You will in such capacity receive full instructions from them as to the articles needed and their proposed mode of effecting their purchases, payments, and shipments. You will be provided with funds and such other aids as in their power to render, and in these respects you will be responsible to them, and be careful not to engage the responsibility of this Department for their transactions. Should any additional facilities appear to you as within the power of the Department to render these railroad companies you will report them, and take the instructions of the Department before engaging to afford them. You will employ such dispatch as may be consistent with the full accomplishment of both the objects of your mission, and then return to your valuable services in the field, from which you have been reluctantly spared and without application on your part.

Very respectfully, yours,

JAMES A. SEDDON,
Secretary of War.

GENERAL ORDERS, No. 23. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, February 25, 1863.*

I. The senior surgeons of commands entitled to medical directors will be detailed as medical directors for such commands. Whenever, however, the interest of the service shall require a departure from this rule, medical directors for commands will be recommended by the Surgeon-General and announced in orders from this office.

II. Paragraph VI, Special Orders, No. 79, and paragraph II, Special Orders, No. 80, of last series from this office, directing medical purveyors to obey all instructions relative to the transfer of medical supplies and reports of supplies on hand emanating from Surgeon E. W. Johns, medical purveyor, are hereby revoked; and hereafter all reports will be made direct to the Surgeon-General, and all instructions to medical purveyors will emanate from his office.

Surgeon Johns will send to the Surgeon-General's Office without delay all records, books, and papers connected with the duties assigned him under the above-named orders.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., February 25, 1863.

Hon. W. LANDER and OTHERS,
Congressional Delegation of North Carolina:

GENTLEMEN: Your remonstrance of the 18th instant against any other than a North Carolinian being put in command of the camps of instruction in your State has been referred to this Bureau by the Secretary of War, with the following indorsement:

Let answer be made that this has been referred to the Conscription Bureau with instructions if a competent but disabled officer from North Carolina can be commanded to assign him to the place. Regret is, however, felt that such susceptibility prevails in North Carolina, when it has not been displayed in other States where similar appointments have been made of officers not native. Indeed, some motives of policy would seem to recommend for such positions officers not liable to be affected by local associations or feelings. In this case, too, an officer of acknowledged gallantry and merit, appointed without a thought of exciting such feelings of dissatisfaction, will lose a situation desirable to him till complete restoration can be had from the wounds received in fighting for the common cause. Still, the change will be made to avoid the grave consequences of general dissatisfaction which, in the estimation of honorable Representatives so competent to judge, are likely to result in their State.

J. A. S.

In reply I beg to observe that I have on the 30th of January ultimo already expressed my willingness to put a North Carolina officer in this post when one could be found, as will be seen by the following extract from my letter of that date to the Secretary of War:

As the Governor appears to have taken exception to this temporary appointment, I will change it; but I have no knowledge of any officer from North Carolina of the rank and qualifications necessary to fit him for the position, having received no application, and I will be very thankful for being enlightened and to have the assistance of the Governor in this particular, assuring him that my interest in the well-being of my native State would not allow my doing anything detrimental to her welfare or honor. Finally, the business of this Bureau, connected with the Army generally, and the standing orders from the Department particularly to avail ourselves of wounded and disabled officers for such services, entirely divest it of any sectional policy, which, if carried out, might throw upon our hands unemployed officers who might otherwise benefit the country.

Not one name of a North Carolinian to relieve Colonel August has yet been suggested to me, nor do I know how to find one. It is necessary to have an officer of higher rank than captain, one in sufficient health and competent for the duty, and yet disabled for field duty. I have no authority to order any officers from the field, nor would the generals commanding listen to any application for such detachment. I myself am a North Carolinian, in daily supervision of the acts of Colonel August, whom I sent there by reason of his high qualifications, he being the only suitable officer at my disposal, to detect, correct, and report the multifarious errors and apparently willful abuses

extensively prevailing on the part of some subordinate enrolling officers in the State; and I have felt the honor of the State as well as the public interest to be concerned in this correction.

Earnestly inviting the assistance and suggestions of the honorable Representatives from North Carolina in this matter, and repeating that I am ready to act at once on any suggestion compatible with the orders I have received, but not at liberty in the meantime to abandon the practical control of the conscription in that State, which it is essential should be supervised by a commandant for the State at large of sufficient rank to exercise command,

I am, gentlemen, very respectfully, your obedient servant,

G. J. RAINS,
Brigadier-General and Superintendent.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, February 27, 1863.

J. B. JONES, Esq.,
Conscript Bureau:

SIR: The President has referred your letter of the 19th instant to this Department. In reply you are respectfully informed that it is not deemed judicious, unless in the last extremity, to resort to the means of supply suggested. The patriotic motives that dictated the suggestion are, however, appreciated and acknowledged.

Your obedient servant,

JAMES A. SEDDON,
Secretary of War.

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., February 27, 1863.

* * * * * * *

It is the decision and instruction of the War Department that where the Government has or has had, until his death or honorable discharge, the services of a substitute not otherwise liable to military service, the enrolling officers cannot go behind these facts to refuse the exemption of the principal on the ground of mere irregularity in the original acceptance of the substitute. In cases, however, presenting indications that the irregularity was purposed and had its origin in motives of fraud or collusion to evade the requirements of law or orders in reference to the character of the substitute offered, they will grant only a temporary exemption of the principal and report all the facts through the commandant of conscripts of the State for the final decision of the War Department through this Bureau.

In all cases, whether the exemption be recognized or not, irregularities in the acceptance of substitutes will be reported by the enrolling officers in order that the names of officers committing them may be laid before the War Department from this Bureau.

There is another class of cases in which the party claiming exemption produces the signature of the company commander only as accepting a substitution, which, in all cases of companies forming

parts of battalions or regiments, is required, since November 21, 1862, by standing orders to be also accepted by the battalion or regimental commander, and to be so certified by his signature. In such cases the genuineness of the transaction is to be doubted, and the claim of the principal for exemption will be denied. It may, however, be admitted on the production of full and satisfactory evidence from the regimental commander that there was a genuine substitution and actual service rendered by the substitute, and that the absence of the signature of the regimental commander is to be attributed only to omission or accident.

Where substitutions have been effected in due form and without fraud, the liability of the principal is not revived by the desertion of the substitute. Should it appear, however, that the substitute himself, if remaining with his colors, would have become liable at a given period to service on his account, then the liability of the principal will revive at that point of time.

G. J. RAINS,
Brigadier-General and Superintendent.

(To Commandants of Conscripts.)

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, February 28, 1863.

Hon. J. A. SEDDON,
Secretary of War:

SIR: Yours per Major Carrington was duly received and, with inclosure, has been carefully considered. The matter has given me much embarrassment. In the interior of the State there is much suffering for bread already, and will be more on account of the failure of the crops from drought, and the Legislature made a large appropriation of money to enable me to purchase corn and transport it west to feed wives and children of soldiers. I had only secured about 50,000 bushels, very little of which has been removed for want of transportation. To surrender the whole of this and cease buying more would so effectually close up the chances of the people for bread that I feel great reluctance in doing so, even for so vital an object as the feeding of the Army. I, however, agreed with Major Carrington to exchange corn, taking bushel for bushel, at Charlotte, to turn over a part of my transportation, and in consideration of the fact that, with my agents and teams now in the field, I could possibly secure much that he could not reach, I agreed to continue purchasing and to turn over to him as the necessities of the service might require. This arrangement was the very best that I could conscientiously make, for I do assure you, sir, that the suffering of my people will be very great, indeed, if the State should afford them no relief. I feel that I ought not to entirely abandon them, and that in preventing suffering in the soldiers' families I am also greatly promoting the efficiency of the Army itself.

I am now organizing a corps of provision agents throughout the interior to see what can be bought, and how much is hoarded that may be seized, and trust that the result may be such as to enable me to surrender to the Army the whole crop of the east.

Very respectfully,

Z. B. VANCE.

[FEBRUARY 28, 1863.—For act of the General Assembly of Virginia, transferring the State troops and rangers to the Confederate Government, see Series I, Vol. LI, Part II, p. 686.]

CONFEDERATE STATES OF AMERICA, SUBSISTENCE DEPT.,
Richmond, Va., March 2, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: The intervention of commanding officers with the ration is unauthorized and unadvisable for many reasons; but under existing circumstances it is mischievous.

The subsistence of the different divisions of the Army should be, if possible, from the productions of the districts wherein they respectively operate; more especially is this necessary in the present condition of transportation. Such directions were given from the War Department on the 28th April, 1862.

The condition of the country requires that the ration must necessarily vary in different localities. It is not to be expected, and it is not the fact that commanding generals are most competent judges of the subsistence resources of the country, and should not be permitted to issue any order respecting rations whatever. If they think the best is not done, let them say so to the Secretary of War, who can inform himself and act; but any further action by commanding officers only tends to render the Army dissatisfied or cause a too rapid consumption of supplies.

Privation is to be looked for, and encouragement is all that the generals can beneficially do, beyond calling the attention of the Secretary of War to existing things.

There are other difficulties attending the settlement of officers' accounts, which the Auditor will settle according to regulations of the Secretary of War.

Reference is again made to the indorsement of this Bureau on a paper submitting ration orders of the Army of the West.

I am, very respectfully, your obedient servant,

L. B. NORTHROP,
Commissary-General of Subsistence.

[Inclosure.]

CONFEDERATE STATES OF AMERICA, SUBSISTENCE DEPT.,
Richmond, Va., April 28, 1862.

Henceforth the ration will be a pound of beef or half a pound of bacon or pork, and the ration of flour or meal will not exceed a pound and a half of either.

Commissaries are again instructed to save all the tallow they can, to be used in place of lard.

L. B. NORTHROP,
Commissary-General of Subsistence.

Approved.

G. W. RANDOLPH,
Secretary of War.

SPECIAL ORDERS, No. 51. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., March 2, 1863.*

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XVIII. Authority is hereby granted Lieut. W. S. Hanrahan, of Company H, First Regiment North Carolina Cavalry, to recruit a company within the lines of the enemy and at such other places in North Carolina where the conscript law cannot be enforced.

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By command of the Secretary of War:

JOHN WITHERS,
Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., March 2, 1863.

General JOSEPH E. JOHNSTON,
Commanding, &c.:

GENERAL: The operations of Brigadier-General Pillow in executing the acts of conscription have been brought to the notice of the Department, and have formed the subject of several communications by telegram, which have probably been brought to your notice. There has been no little difficulty in organizing the arrangements for the execution of the conscription acts, and the plans adopted have been the result of much deliberation and after a consultation with those who were immediately concerned in the management of the Army. The Adjutant and Inspector General insisted that these arrangements should not be connected in any manner with the business of his office, inasmuch as conscripts did not belong to the Army proper until after muster into service. The fundamental proposition adopted by the Department in reference to the acts of exemption rendered this conclusion a proper one.

Hundreds of applications come to the Department for discharges from the Army, resting for their support upon the provisions of the act of exemption, and were sustained in many instances by Congressional recommendations. Many of the members of Congress seemed to believe that the exemption acts did apply to the Army. To separate the Army proper from conscription was therefore a measure of policy. There are, too, political considerations connected with the enforcement of the acts of conscription that were not to be overlooked, and justified the establishment of an independent organization. The Department in Orders No. 82 provided that "the commandant of conscripts will be charged with the supervision of the enrollment and disposition of conscripts." "The commandants of conscripts east of the Mississippi River will receive orders only from the War Department, and will not be interfered with by generals commanding departments or armies in the field."

On February 7 this Department published in Orders No. 16: "Reports have been received that officers thus sent from the Army have been practically setting aside the system, decisions, and exemptions established under the authority of the commandants of conscripts in the respective States, and are neglecting to make to those officers any returns of the conscripts gathered by them," and thereupon renewed its command that those officers should act in subordination to the commanders of conscripts.

In two telegrams addressed to General Bragg relative to the operations of General Pillow the disapproval of the Bureau of Conscription established by him has been communicated in specific language as incompatible with the system established and having no authority whatever under the orders of the Department. This letter is written to explain to you the system in operation, to refer you to the orders of the Department, and to exact through you obedience from the officers in your department to the orders heretofore given, especially the officers to whom these telegrams referred to have been addressed. Paragraph III, Article IV, of Orders 82, and the circular of January 8, limited in Orders 16 of the present year, explain all the relations that the generals in the field have or which the Department desires them to have with the camps of conscription. Even these relations, limited and defined as they have been, have been productive of confusion and irritation, for the commanding generals of different departments have sent into the same field officers to recruit their armies and have partially superseded the regular operations of the officers of the Bureau.

The Department continues in force at the Bureau of Conscription the orders to supply the army of General Bragg from Alabama and Mississippi, and he may send recruiting officers from battalions and regiments to co-operate with the enrolling officers; but further than this no interference in the conscription service can be permitted. Nothing in this letter is intended to apply to any arrangements for the collection of absentees or deserters.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

SPECIAL ORDERS, No. 52. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., March 3, 1863.*

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XXIV. Col. E. Waggaman, Tenth Regiment Louisiana Volunteers, is assigned to duty as commandant of conscripts for the State of Louisiana, and will report by letter to the chief of the Bureau of Conscription in this city for further instructions.

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By command of the Secretary of War:

JOHN WITHERS,
Assistant Adjutant-General.

ORDNANCE BUREAU,
Richmond, March 3, 1863.

Maj. R. M. CUYLER,
Commanding C. S. Arsenal, Macon, Ga.:

MAJOR: It is desirable to secure a supply of cotton for the purpose of shipping it abroad for account of this Bureau. You are authorized to lay out ordnance funds for such cotton as you can secure without interference with the purchases of the Treasury Department. Consult with the agents of the Treasury Department as to prices, and in no case exceed the prices paid by them.

Purchase about 2,000 bales and report prices, &c.

Very respectfully, your obedient servant,

J. GORGAS,
Colonel, Chief of Ordnance.

RICHMOND, *March 4, 1863.*

His Excellency President DAVIS:

SIR: I have the honor to acknowledge the reference by you to this office of a communication from Mr. A. G. Haley, proposing to introduce horses and mules from Mexico, California, and Europe, and beg leave to return the letter with the following remarks:

Between 600 and 700 mules have already been purchased in Texas for the cis-Mississippi department, and are being wintered at Alexandria, La., for the convenience and cheapness of forage, while awaiting a safe opportunity to cross the river.

So soon as these animals are tried we can tell how far they are adapted to the service, which may admit of some doubt, as they are generally small.

If suitable, it will be advisable to increase the number from Mexico, and possibly California. The horses of Mexico, Texas, California, and New Mexico I consider, if very judiciously selected, adapted to our cavalry service, provided that none are purchased under ten years of age. Unbroken Mexican horses I consider entirely useless. The proposal to obtain horses from Europe is certainly impracticable.

A. C. MYERS,
Quartermaster-General.

ATHENS, TENN., *March 4, 1863.*

His Excellency JEFFERSON DAVIS,
President Confederate States of America:

DEAR SIR: I duly received your circular letter addressed to the Governors of the Confederate States of America on Friday last. Upon its reception I was prostrated with a severe indisposition from which I am partially recovered, which is my apology for failing in an immediate answer. Your circular letter gives a faithful representation of the gigantic preparations of the Government of the United States to subjugate the Confederate States, not only by the accustomed means of belligerents, but by the cruelties and devastations unauthorized by Christian or civilized warfare and culminating in the atrocious project now openly announced as well by their legislative as the executive powers of adding the horrors of servile to that of civil war. With a view to inform the Governors of the Confederate States of the dangers which environ them, you invite the co-operation of the State authorities in the increase of our military force by the faithful enforcement of the law of conscription, by aiding in having the officers and soldiers already enlisted and absent from their commands returned to their posts of duty and service, and by every effort to subsist our brave armies now in the field. I deeply deplore the untoward condition of the State of Kentucky, of which I am the humble Provisional Governor, and it has grieved my soul that a State so replete with military resources has not seemed to respond to the expectations of her sister States in the vindication of States' rights and the assertion of our dearest personal and political liberties. I have never doubted that it is the will of a large majority of the people of my State to cast their lot in an alliance with the Confederate States, but you are aware of many of the difficulties that have surrounded them, encompassed as they have been by bribery and intimidation and by the military occupation of her principal towns and cities. Notwithstanding, from all my information from Kentucky I cannot fail to believe our cause

is steadily on the increase, and that during the present spring and summer the military powers and resources of our State will be largely and liberally devoted to the cause of the Confederate States. You are apprised that in the present posture of Kentucky I am almost powerless in the enforcement of the conscript law or in the means of returning our officers and soldiers to their commands, and little can be effected in drawing from my State the quartermaster's and commissary stores in which she so largely abounds. I can, however, assure you that no effort will be spared and no opportunity neglected to animate and urge our people to the fullest co-operation in the prosecution of the cause of our liberties and independence. I am now engaged in setting on foot a communication with our firm friends in Kentucky from which I hope such organizations as will materially increase our political and military forces, and which will, as I hope to a valuable extent, aid in supporting the commissary and quartermaster's service of the country.

Very respectfully, yours,

R. HAWES,
Provisional Governor of Kentucky.

An estimate of funds required for the subsistence of 475,000 men from 1st of January to 30th of June, 1863 (one hundred and eighty-one days), making 85,975,000 rations.

85,975,000 rations, at $1.12 per ration	$96,292,000
1,000,000 gallons molasses, at $1 per gallon	1,000,000
1,000,000 gallons whisky, at $2.50 per gallon	2,500,000
Purchase of weights, scales, and measures	200,000
Provisions for Quartermaster's employés and laborers under charge of Engineer and Niter Bureaus	11,666,660
	111,658,660
Add 10 per cent. for wastage	11,165,866
	122,824,526
Deduct amount already appropriated	48,656,500
Total now required	74,168,026

The foregoing estimate is supplemental to the one submitted by this Bureau on the 12th of December, 1862, and is necessary in consequence of the greatly increased cost of all articles constituting the ration.

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It is impossible to determine to what extent prices will advance and the Commissary-General can only approximately conjecture.

Respectfully submitted.

L. B. NORTHROP,
Commissary-General of Subsistence.

MARCH 5, 1863.

GENERAL ORDERS } ADJT. AND INSP. GENERAL'S OFFICE,
No. 24. } *Richmond, March 5, 1863.*

I. Paragraph IV of General Orders, No. 47, of 1862, was designed to apply solely to the cases of officers whose commands had reorganized for the war, agreeably to the acts of Congress, No. 306, of December 11, 1861, and No. 397, of February 15, 1862, where the officers of

such reorganized commands had been re-elected to the same grade of rank they held in those commands prior to their reorganization, and before the passage of the act of April 16, 1862, commonly known as the "conscription act."

In all reorganizations of commands under this last-named act (April 16, 1862) the officers will take rank from the date of the act, and their relative rank with each other in the same grade will be regulated by the date of their former commissions in the service.

II. Officers of the Army who are dropped from the rolls, cashiered by courts-martial, or whose resignations are accepted, and who may thus become liable to military duty under the conscription acts, will, when present with their commands, be at once enrolled by their respective brigade commanders. When not so present their names will be furnished by their commanding officers to the proper enrolling officer of the district to which they belong, or in which they reside: *Provided*, That any officer so liable to enrollment may select in his former command any company from his own State in which to be enrolled.

By order:

S. COOPER,
Adjutant and Inspector General.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., March 5, 1863.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond:

SIR: I am informed credibly that there is a class of men scattered over the State liable to conscription who are hiding out and dodging the enrolling officers, but who would join Colonel Clanton's command if allowed to do so. The conscript officers, I am told, recommend that they be allowed to do so. The order from the War Department* allowing conscripts in the counties of Barbour, Pike, Henry, Dale, Coffee, and Covington to join Colonel Clanton's organization has had a most happy effect in silencing all clamors against the conscript act in those counties, and in inducing many who were hiding to come into the service. Colonel Clanton is a very popular officer in Alabama, and men in other counties who will avoid the conscript officers would readily join him if permitted to do so, and will thus be speedily brought into the camps. I am confident that such a course will be advantageous to the Army. The sooner these stragglers are gathered in the better, and by the plan recommended I think a number may be obtained whom it will be troublesome to get at in any other way. The discretion as to this matter may very properly be left with Colonel Clanton, who will properly discriminate as to the class of men he will muster into his command under the order of the War Department, if the order shall be allowed. There is no danger of his gathering more men than needed, and if he should be successful enough to raise a larger force than might be found necessary for his field of operations it will put it in the power of the Department to re-enforce Mobile by a transfer of a portion of the troops now in the vicinity of Pollard. Still, I have no idea that any supernumerary troops will be gathered by Colonel Clanton. They will all be required, most probably, in West Florida.

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*See Series I, Vol. LII, Part II, p. 415.

Colonel Clanton visits Richmond in person and will deliver you this letter, and I commend him to your polite attention and confidence.

Respectfully, your obedient servant,

JNO. GILL SHORTER,
Governor of Alabama.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 25. } *Richmond, March 6, 1863.*

I. The following act of Congress and regulations to enforce the same are published for the information of all persons concerned:

CHAP. LXII.—AN ACT to protect the rights of owners of slaves taken by or employed in the Army.

The Congress of the Confederate States of America do enact, That every person connected with the Army or Navy of the Confederate States arresting or coming into possession of any slave, by capture from the enemy or otherwise than by lawful authority, shall immediately report the same to the commanding officer of the post, or brigade or station to which he may be attached. The said commanding officer shall, with as little delay as practicable, send the slaves so reported to the nearest depot described in the next section, with a register of the place and date of their arrest: *Provided, however*, That the said slaves or any of them may at once be delivered to their respective owners, if claim is made and established on satisfactory evidence.

SEC. 2. The Secretary of War shall establish depots for recaptured slaves at convenient places, not more than five in number, in each State, and all slaves captured in such State shall be kept in such depots. Public notice shall be given of the places so selected.

SEC. 3. Lists of the slaves in each of such depots showing the name and color of such slaves, the place and time of their arrest, and the names of their owners, as given by themselves, or otherwise ascertained, shall be regularly advertised in each State, in one or more newspapers of general circulation.

SEC. 4. While such slaves are in depot, they may be employed, under proper guard, on public works; but no slave shall be removed from the depot to which he is first carried for at least one month after the first advertisement of his being there, nor then, unless an exact register is made of the removal and due advertisement made in the newspapers as aforesaid.

SEC. 5. Free access shall be permitted to all persons desiring to inspect the said slaves for the purpose of identifying them and establishing ownership, and upon due proof they shall be immediately restored to the persons claiming them.

SEC. 6. It shall further be the duty of the Secretary of War to require the names of all slaves in the employment of an officer or soldier of the Confederate Army or Navy, with the names and residence of their owners, and of the person by whom hired out, and of the officer or soldier hiring, to be reported to his Department, and a full register thereof to be kept for public inspection.

SEC. 7. The President shall prescribe regulations for carrying this act into effect, and provide for the subsistence of said slaves while in such depots.

Approved October 13, 1862.

II. Depots for recaptured slaves are hereby established at the following places, viz: At the camps of instruction at Richmond, Petersburg, and Dublin Station, Va.; Raleigh, N. C.; Columbia, S. C.; Macon and Decatur, Ga.; Notasulga and Talladega, Ala.; Tallahassee, Fla.; Brookhaven and Enterprise, Miss.; Monroe, Camp Moore, and New Iberia, La.; Houston, Texas; Knoxville and McMinnville, Tenn.; Little Rock, Ark.

III. The commandants of the several camps of instruction will provide necessary quarters for all negroes sent to the depots; will detail sufficient guards for their safe-keeping; provide for their custody, employment, and subsistence; require full and accurate registers to be kept, and advertisements as prescribed by the act of Congress to be regularly made, and afford all facilities to claimants to establish

their ownership, and on due proof surrender the slaves to their owners.

IV. Commanding generals will require all persons connected with the Army to make immediate report of all slaves arrested or coming into their possession, and if claim is not promptly made and established by the owner, will send such slaves, with a register of the place and date of their arrest, with as little delay as practicable, to the nearest depot in the State wherein the capture is made. They will also require all officers and soldiers now employing slaves forthwith to report the same, and those hereafter employing them, within ten days thereafter, with the names and residence of their owners, and of the person by whom they were hired out, and of the officer or soldier hiring, and return such reports as soon as received to this office; and will in all other respects enforce from the officers and men under their command a strict and prompt observance of the requirements of the above-recited act of Congress.

By order:

S. COOPER,
Adjutant and Inspector General.

HDQRS. VOL. AND CONSCRIPT BUREAU, ARMY OF TENN.,
Huntsville, March 6, 1863.

The PLANTERS OF LAUDERDALE, LAWRENCE, AND FRANKLIN COUNTIES:

Your position is much endangered by the raids of the enemy's cavalry. Wherever they go they seize all the negroes they can find. Our army has 2,000 veteran soldiers driving teams. We want to hire negro teamsters to relieve these soldiers and restore them to the ranks, thus greatly strengthening the army. All the negroes you hire to the army will be thus saved to their owners, while at the same time the army is more able to defend and protect the country. I have made a like requirement of the slave owners of Maury, Giles, and Lincoln Counties, Tenn., and of Madison, Limestone, and Morgan Counties, Ala., and I now call upon you. The above counties have responded with patriotic promptitude. In meeting this want of the army and Government you are performing a patriotic duty, and advancing your own interest by preserving your property and aiding the army to protect the homes and property of the owner. If owners shall fail or refuse to comply with this request, they need not complain of the Government if they should be robbed of their negro property. I send Captain McIver, assistant quartermaster, with contracts signed and complete to carry out this order. His official acts will be binding upon the Government. The terms of the contract, you will see, are liberal, and in everything protect your rights.

GID. J. PILLOW,
Brigadier-General, C. S. Army, and Chief of Bureau.

The purveying department, as according to the present organization of the Army, forms a part of the Medical Department, or rather what has, from the necessities of the service, grown into the purveying department, is composed of a varying number of medical officers

detailed as purveyors to provide supplies appertaining to the care of the sick. The necessities of the service rendering it impossible for the Surgeon-General to divert his attention from the administration of the professional duties of Medical Department, a sort of sub-department for provision of supplies was extemporized by directing the purveyors throughout the Confederacy to obey the instructions of the purveyor at Richmond (where is the principal depot), who was appointed to this undefined control of the movement of supplies under the direction of the Surgeon-General. This organization is not sufficient to meet the vast demands of what is in itself a large and, considering its object, a most important department, because—

1. The duties of the purveying department have practically and really no relation to those of the Medical Department. The first relates to the administrative duty of supply entirely similar to those of the Quartermaster's and Commissary or other administrative departments of supply. The second is concerned with the professional care of the sick and wounded. It needs only a glance to see how different are the objects to be accomplished by the two departments. The organization of the Medical Department was simply adopted from that of the old U. S. Army without any relation to the very different circumstances and demands of this Army. In the old Army it was possible to get along with this organization for an army not greatly larger than one of our divisions; though even then advantage would have been derived from a department providing all supplies relating to the soldier considered as hors de combat from wounds or sickness. In the Confederate Army the necessities of the service have vindicated themselves by an improvised arrangement growing out of its exigencies, yet necessarily imperfect, and coming short of the duty to be done from want of sufficient power and unity of plan and action. The Medical Department, composed of surgeons and assistant surgeons, should properly be concerned only with the professional care of the sick and wounded in hospitals, quarters, or in the field, and the energies of the Medical Department should be directed and confined solely to the proper professional care of the sick. In civil life, with regard to physicians, it would not be reasonable or judicious to look to other business than the profession as a means of promoting the good of their patients; much more is this true of medical men in the Army. Nor does the professional education and habits of life of medical men tend toward the development of mental characteristics desirable for conducting the administrative duty of collecting and furnishing supplies and developing resources, unless there exists the natural adaptation of the individual mind to this kind of business. So that as the objects of the purveying department differ entirely from the professional care of the sick, and as there is no necessity for or even advantage to be derived from placing surgeons (except in the few cases where they may have natural adaptation and experience) in positions entirely foreign to the duties of their profession and habits, it is very desirable that the purveying department should be separated from the medical.

2. But there are other reasons why this separation is demanded. There is a want of unity of plan and action. The Surgeon-General does not and cannot know, if he attends properly to the administration of the Medical Department proper, the circumstances of supply; yet, theoretically, the whole matter of duty of supply is supposed to be done under his direction. The purveyor, who is charged with what relates to the movement of supplies, has all the responsibility and but little real power to carry forward the duty systematically, as the

Surgeon-General, without the intimate acquaintance with the details of the administration, may at any time interfere and alter any plan, no matter however advisable, and the proper understanding of which necessarily rests with those who are immediately engaged upon the duty of providing supplies.

3. The purveyor at the principal depot, who has charge with what relates to movement of supplies, has but limited control of the other purveyors, and the superior right of interference of a third person cannot but lead to confusion and the want of that energetic action proceeding from the employment of one will and mind acquainted with and immediately employed upon the requirements of the particular service to be done.

The great and increasing scarcity of supplies of all kinds demands that the utmost facilities to be derived from efficient organization be accorded to those whose especial duty it is to provide these supplies. The fullest extent of power and consideration derived from military position is necessary to carry forward the great object of making adequate provision for the sick and wounded of the Army, and should be devolved upon those upon whom is imposed the perilous responsibility of such duty. It is not for a matter of mere distinction that rank and position should be accorded. These clothe the officer with power to do his duty, and any one conversant with military organization well knows a department not protected with these defenses is not respected, but set aside on all occasions by those who are clothed with prestige of power and rank.

A department which must disburse millions for the proper care of the sick and wounded fathers, sons, and brothers of the land should not be put in a position rendering it liable to be thus thrust aside. The duties of the purveying department being precisely of the same nature as those done by the Quartermaster's, Commissary, or other administrative departments of supply, the organization, rank, power, and position should be the same. The procuring of medicines forms only a portion—by no means the largest portion—of the general supplies. The purveying department should have charge of providing, first, the building and fitting up of hospitals; second, hospital and field bedding; third, hospital clothing; fourth, ambulances for transportation of the sick; fifth, wagons for transportation of supplies; sixth, hospital tents; seventh, the establishment and control of large chemical works so as to render us independent of foreign sources of supplies of chemicals, as no one can foresee how long the present war may last, as even after a peace unsettled questions may remain and others arise which from the animus of the two nations will probably result in wars; and as we have not now and cannot for many years hope to have a navy sufficiently powerful to keep the sea open to us, large chemical works and laboratories should be established on a scale to make us independent by developing the resources of the country; eighth, the purchasing of medical and surgical appliances; ninth, the providing all other supplies relating to the care of the sick while in service, considered as hors de combat from sickness, wounds, or disability.

In view of the benefits to be derived to the service and to have charge of the above duties it is believed that there should be added to the general staff of the Army of the Confederate States a Purveyor-General's Department, to consist of one Purveyor-General, with the rank of colonel, and one assistant purveyor, with the rank of lieutenant-colonel. Purveyors with the rank of major and purveyors with the rank of captain to be permanently attached to the regular service,

and as many additional purveyors as the service may require to be appointed, when necessary, by the President, with the advice and consent of Congress; such additional purveyors to continue in service only so long as their services may be required in connection with the Provisional Army or militia.

[Indorsement.]

MARCH 7, 1863.

SECRETARY OF WAR:

This project of a bill, though not exactly what I have contemplated, is found to contain many striking suggestions and is referred for your consideration. The paper was sent to me some time since, and my immediate attention was directed to it by a recent order abolishing the purveyor's office. I fear unfortunate consequences, and ask for your reconsideration of that order.

JEFF'N DAVIS.

GENERAL ORDERS, No. 26. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, March 7, 1863.*

The following order of General Robert E. Lee is adopted by the War Department, and is republished for the information and government of all concerned:

To avoid the danger, if not the certainty, of frequent collisions, and the consequent destruction of life and property, as well as obstruction to all transportation, it is absolutely necessary that the movements of railroad trains should be under one undivided control.

These considerations make it imperative that all trains should be regulated in their movements and speed, only by their conductors and engineers, in accordance with the regulations and time-tables of the company.

All the operations of a road should be controlled by its superintendent, or other authorized officer; and all orders for transportation of every kind, and the movement of every train, will be directed through him, when the exigencies of the service demand a variation from the regular schedule.

Disregard of this rule will inevitably be attended with disastrous consequences.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 28. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, March 12, 1863.*

I. No regiment, battalion, squadron, or company will be disbanded from the Army prior to expiration of service without express authority obtained from the War Department.

II. Brigadier-generals will not be detached from their brigades, nor colonels from their regiments, except on ordinary temporary duty, without the special authority of the War Department.

III. The appointment of officers of the Army being vested by the Constitution in the President, by and with the advice and consent of Senate, commanding and other officers are hereby cautioned against assumption of this authority. All payments made to persons appointed as officers by military commanders will be charged against the disbursing officers making such payments.

IV. The impositions attempted to be practiced on officers of the Quartermaster's Department charged with paying troops call for the following regulation in respect to the payment of officers absent from

their proper commands, viz: Regimental quartermasters will furnish to officers of their regiments about to leave their commands on detached duty certificates of last payment made by them to such officers, which certificates will be deposited with the pay officer making the next payment, who will, on such further payment, give the officers a like certificate. Payments to officers absent from their appropriate commands, except those placed on detached duty by competent authority, and sick and wounded officers absent by like authority, are expressly prohibited.

V. General hospitals will be under the supervision and control of medical directors specially selected for the purpose, and announced as such in orders from this office. Medical directors of armies, army corps, and departments will not interfere with this arrangement in respect to the general hospitals.

VI. Doubts having arisen in respect to the mode of addressing communications, and in passing them through the channel provided in the thirty-fourth article of General Regulations, it is hereby directed that the party making the communication will address himself to the staff officer of the general or other commanding officer who may have the right finally to decide on the question or application presented; and if the subject-matter of the communication be such as to require the action of the War Department, it will be addressed to the Adjutant and Inspector General through the usual channel. All communications in the ascending line will be passed through the several intermediate commanders until they reach the officer having the final control. For example: Communications from the members of a company will pass through the commander of the company; thence to the commander of the battalion or regiment; thence to the commander of the brigade; thence to the division commander; next to the commander of the army corps, and finally to the general commanding in chief, for their several remarks; and if further reference be required, to the Adjutant and Inspector General.

VII. All recommendations from officers of the Army for military appointments to be conferred will, besides giving the character and qualifications of the person recommended, name the State in which he was born, and of which he claims to be a citizen.

VIII. Paragraph II, General Orders, No. 97, December 1, 1862, may be so modified as to read: "Officers and agents of the Quartermaster's Department are hereby ordered not to interfere with leather purchased or contracted for by officers or agents of or contractors with the Ordnance Department."

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, March 13, 1863.

Hon. F. S. LYON,
House of Representatives:

SIR: To reconcile the various difficulties that arose in the execution of the two conscript acts, the repeal of the first exemption act, and the enactment of the second, the Department settled—

First. That neither of the exemptions applied to persons who were already in the Army, the first conscription act having recited the

"absolute necessity of keeping in the service our gallant Army and of placing in the field a large additional force to meet the advancing columns of the enemy now invading our soil" as the motive for the passage of the law, and its provisions being consonant to this motion.

Second. That all persons enrolled previous to the passage of the act of exemption in October were thus called out and placed in the Army, so that the provisions of the act of exemption of that date did not apply to them.

Third. That as to all unenrolled persons who were between the ages of eighteen and forty years of age at the date of the last act of exemption, that act became operative upon its passage, and the act of exemption of April, repealed in that last act, ceased to have any effect.

Upon these conclusions the Conscript Bureau is now administering the conscript acts.

* * * * * * *

Very respectfully, your obedient servant,

J. A. CAMPBELL,
Assistant Secretary of War.

EXECUTIVE DEPARTMENT,
Richmond, Va., March 14, 1863.

His Excellency JEFFERSON DAVIS,
President Confederate States of America:

Having been instructed by the General Assembly to communicate to Your Excellency a certified copy of "An act to amend and re-enact 'An act further to provide for the public defense,' passed October 3, 1862," I have the honor herewith to inclose it.

Respectfully, your obedient servant,

JOHN LETCHER.

[Inclosure.]

AN ACT to amend and re-enact "An act further to provide for the public defense," passed October 3, 1862.

Be it enacted by the General Assembly, That the act passed October 3, 1862, entitled "An act further to provide for the public defense," be amended and re-enacted so as to read as follows:

1. *Be it enacted by the General Assembly*, That it shall be the duty of the Governor of this Commonwealth, and he is hereby authorized and required, whenever thereto requested by the President of the Confederate States, to call into the service of the Confederate States for labor on fortifications and other works for the public defense within the State, from time to time, for a period not exceeding sixty days, a number of male slaves between the ages of eighteen and fifty-five years, not exceeding 10,000 at any one time, and not exceeding in any county, city, or town one-fifth of the number of the male slaves therein between the ages specified, to be apportioned by the Governor. Such requisition shall be apportioned ratably among all the slave-holders in the several counties, cities, and towns on which the requisition shall be made, so as to charge each slave-holder with the same proportion of his male slaves between the ages specified, capable of performing ordinary labor, to be judged of by the court, which may be demanded from his county, city, or town: *Provided, however*, That the Governor in his discretion may exempt wholly or partially

from the operation of this act such counties as may have lost so large a portion of their slaves in consequence of their escape to the public enemy as will materially affect the agricultural products of the counties. And the Governor may exempt such other counties as from their geographical position or contiguity to the public enemy he may deem expedient. And in any county, city, or town partially exempted under this statute, any person who may satisfy its county or corporation court, or any person appointed by the Governor for that purpose, that he or she has lost one-third part of his or her slaves liable to work on the public works, by said slaves going over to the enemy, shall be exempted from the operation of this act. The sum of $20 per month for each slave shall be paid by the Confederate States to the person entitled to his services, and soldier's rations, medicines, and medical attendance furnished; and the value of all such slaves as may die during their term of service, or thereafter, from injuries received, or diseases contracted in such service, or not be returned to their owners, shall be paid by the Confederate States to the owners of such slaves, and full compensation shall be made for all injuries to slaves arising from the act of the public enemy, and in like manner full compensation shall be made for any injury to slaves arising from a want of due diligence on the part of the authorities of the Confederate States: *Provided*, That the Confederate States shall not be liable for any slave not returned by reason of fraud or collusion on the part of the owner or his agent; or if his death should be caused by the act of God, or by disease of such slave existing when received by the Confederate authorities; and in all cases the burden of proof shall be on the authorities of the Confederate States to discharge the latter from liability to the former. Hired slaves shall be regarded as the slaves of their temporary owners in apportioning for the purposes of this act; but when hired slaves shall be held by persons owning other slaves it shall not be lawful for the temporary owner to select one or more of the hired slaves to be sent to the public works; but in every such case the slave or slaves to be sent shall be ascertained by lot, in which each of said slaves shall be drawn for by the court.

2. *Be it further enacted*, That so soon as the Governor shall determine to make a requisition for slaves under this act he shall give notice thereof to the several counties, cities, and towns on which the call may be made, by causing to be filed with the clerks of the several county and corporation courts copies of the requisition made on their respective counties, cities, and towns; and thereupon it shall be the duty of the said clerks forthwith to issue a summons to all the acting justices of their respective counties and corporations, requiring them to meet at the court-houses of their counties and corporations on a day to be named in the summons, not later than six days from the filing of the requisition, to carry the same into effect, which summons shall be directed to and executed by the sheriff of the county or sergeant of the corporation, as the case may be.

3. It shall be the duty of the several county and corporation courts, after being duly convened as aforesaid, and not less than five justices being present, to ascertain by the assistance of the commissioners of the revenue of their respective counties and corporations, or otherwise, the entire number of male slaves therein between the ages specified, subject to requisition under this act; and after ascertaining the same, to apportion the requisition aforesaid without delay among all the holders of such slaves, so as to charge each slaveholder as near as may be with the same proportion of his male slaves

between the ages of eighteen and fifty-five, capable of performing ordinary labor, as may be demanded from his county, city, or town, throwing into classes when necessary the holders of but one or a few slaves, and of fractions of slaves, and ascertaining by lot, or agreement between the parties, or otherwise, the slave or slaves to be sent to the public works from such classes, and giving as far as practicable relief to those upon whom the lot or draft may have fallen under any preceding requisition: *Provided*, That in no case of a soldier in service, or a widow having a son therein, or whose husband has died in such service, owning or hiring but one male slave, shall such slave be subject to requisition under this act. But no slave-holder shall be exempted by reason of having slaves in the employment of the State or Confederate Government.

4. So soon as the apportionment aforesaid shall be made it shall be the duty of the courts of the several counties and corporations to require each slave-holder to deliver, on a day and at a place appointed by the court, his quota of slaves to the sheriff or sergeant, as the case may be, to be delivered by such sheriff or sergeant to an agent or officer of the Confederate States in the city of Richmond, at the expense of the Confederate States. All slaves delivered by the holders on the day and at the place designated as aforesaid to be returned at the expiration of sixty days. Slaves not delivered in accordance with the order of the court shall be seized by the sheriff or sergeant, as the case may be, and delivered at the expense of the owner to the agent or officer of the Confederate States authorized to receive them, and may be held on the terms and conditions aforesaid for a period not exceeding ninety days, unless sufficient cause for the failure shall be shown to the court of the county or corporation in which such failure may occur, and there entered on record; in which event the expense of said delivery shall be paid by the Confederate States, and a certified copy of such order shall be conclusive evidence of such sufficient cause; and, moreover, the holder of such slaves shall be fined not less than $3 nor more than $10 for every day each slave shall be withheld; and it shall be the duty of the sheriff or sergeant to report to the court at its next succeeding monthly term all persons failing or refusing to deliver their slaves as aforesaid; and unless good cause be shown for such failure or refusal the court shall impose said fines, for which an execution shall be forthwith issued by the clerk of the court, which fines shall be repeated from time to time until the order of the court is complied with. Any sheriff failing to discharge the duties imposed by this act shall be fined not less than $50 nor more than $200.

5. It shall be lawful for the proper authorities of the Confederate States, whenever in their opinion the public interest may require it, to detail for labor in the business and at the place from which they have been taken any slaves drafted under the provisions of the act hereby amended, or of this act; but in no case shall the deficiency in labor on the public works caused by such detail be supplied by a new draft on the other slave-holders of the county, city, or town in which the detail may be made; and any slaves which shall be exempted from impressment or draft by any law of the Confederate States shall be regarded as detailed under the provisions of this act.

6. The clerk and sheriff or sergeant shall attend the sessions of the court as in other cases, and the court may adjourn from time to time until the business shall be completed.

7. Should any county or corporation court fail or refuse to discharge the duties hereby imposed on them, wholly or in part, it shall be the

duty of the clerk of such court immediately to notify the Governor thereof; and thereupon it shall be the duty of the latter, unless good and sufficient reasons be stated by the court for such failure or refusal by officers and agents of his own selection, with the aid of the commissioners of the revenue of such county or corporation, who are hereby required to render such aid when required, to impress from said county or corporation such proportion of the slaves demanded by him therefrom as may not have been furnished under the provisions of this act. The slaves thus impressed, together with such as may have been furnished by such county or corporation under this act, shall not exceed one-fifth of the number of male slaves therein between the ages specified capable of performing ordinary labor; shall be apportioned among the slave-holders, as herein above set forth, and shall be turned over to an authorized officer or agent of the Confederate States, to be held not longer than sixty days, for the uses and upon the terms and conditions set forth in the first section of this act. Separate receipts shall in all cases be executed to the owners by the sheriff or other person seizing or taking possession of slaves under this act; and receipts shall in like manner be taken by the sheriff or other person holding them when slaves may be turned over to the agent or officer of the Confederate States. Slaves coming into the possession of the sheriffs, sergeants, or agents of the Governor under this act shall be regarded as in the possession and service of the Confederate States, and at their expense until redelivered to their owners. For every seizure of a slave by a sheriff or sergeant under this act he shall be entitled to a fee of $5, to be paid by the person failing to deliver such slave.

8. In making the requisition authorized by this act the Governor is required to equalize the burden as near as may be among the several counties, cities, and towns of the Commonwealth, and among the citizens thereof, having, when practicable, due regard to the number of slaves theretofore furnished by any counties or corporations or the citizens thereof, under the provisions of the act of October 3, 1862, and of this act, and under any call heretofore made by the President or Secretary of War, or any officer of the Confederate Army; and for this purpose it shall be the duty of the county and corporation courts as soon as may be to forward the Governor the number and time of service of any slaves heretofore furnished under any call as aforesaid, so that the equalization intended by this section may be made to apply to any future call for labor by the Confederate Government.

9. Under any requisition made upon any county, city, or town, it shall be lawful for any number of persons who may be required to furnish not less than thirty nor more than forty slaves to place such slaves in charge of an agent or overseer selected by such owners, who shall deliver them to the Confederate authorities at the place where the labor is to be performed at the expense of the Confederate States; and such agent or overseer, if a fit and proper person, shall be employed by the Confederate Government as the agent or overseer in charge of the slaves during their service of sixty days; and such overseer or agent shall not be discharged by any officer of the Confederate Government, except for good cause, to be approved by the Secretary of War: *Provided*, That if the requisition on any county, city, or town shall amount to only twenty slaves and less than thirty, in such case an overseer or manager may be selected as aforesaid.

10. The owners of slaves may furnish them subsistence and provisions, and in such event shall be allowed commutation in money in lieu of rations equal to the commutation allowed soldiers in the service.

11. All slaves sent voluntarily by their owners to the Confederate authorities and accepted by them shall stand on the same footing as if sent under the proceedings required by this act.

12. This act shall be forthwith communicated by the Governor to the President of the Confederate States. Any request for slaves hereafter made by the President on the Governor shall be regarded as assent to and acceptance of all the provisions of this act by the Confederate States.

13. This act shall be in force from its passage.

Passed March 13, 1863.

A copy from the rolls. Teste.

WILLIAM F. GORDON, JR.,
Clerk House of Delegates and Keeper of Records.

[MARCH 16, 17, 18, and 20, 1863.—For correspondence between Davis and Brown, in relation to the seizure of the Georgia State Railroad by Bragg, see Series I, Vol. LII, Part II, pp. 434–437.]

GENERAL ORDERS, No. 30. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, March 18, 1863.*

I. Any employé of a Government establishment who shall leave such employment shall not be received at any other Government establishment or by any contractor under the Government unless he exhibits a proper discharge from the employment which he leaves.

II. Any contractor under the Government who shall employ any workman leaving without proper discharge a Government establishment or the employment of another contractor under the Government shall be notified at once that the detailed men and conscripts in his employment be returned to their proper officers upon report of the facts to the Chief of Ordnance.

III. The orders heretofore given are repeated, that conscripts or detailed men leaving their employment without written permission shall be reported to the nearest enrolling officer, to be tried and punished as deserters.

By order:

S. COOPER,
Adjutant and Inspector General.

RICHMOND, VA., *March 18, 1863.*

His Excellency JOHN LETCHER,
Governor of Virginia:

SIR: I have the honor to acknowledge the receipt of your letter of the 14th instant inclosing a certified copy of an act of the Legislature of Virginia, entitled "An act to amend and re-enact 'An act further to provide for the public defense,' passed October 3, 1862."

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., March 19, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: About the time of the establishment of this Bureau the regular working of the system of conscription appeared somewhat liable

to disturbance from possible misapprehension on the part of individual officers growing out of the extraordinary though, in my opinion, well-conceived measures instituted in the circular from the Adjutant and Inspector General's Office, January 8, 1863, to expedite the recruiting of the armies in the field. Accordingly, at my suggestion, General Orders, No. 16, current series, from the Adjutant and Inspector-General's Office, February 7, 1863, were issued, clearly defining the boundaries between the duties of officers regularly on conscription and those detached from the Army for recruiting.

Here it was hoped all difficulty would cease. The officers of conscription were informed of their own duties, and, as occasion required, were instructed to facilitate the special business of recruiting by others, within the limits marked.

Unfortunately about the 13th day of February, ultimo, it began to appear that Brigadier-General Pillow, claiming, under the orders of General Bragg, to be chief of a "Volunteer and Conscript Bureau of Army of Tennessee," and officers under him were exercising, on a large scale, a general authority to make conscripts, decide questions of exemption, and overrule the officers regularly on conscription duty in four or more States. The character of this interference will appear from papers inclosed. It was promptly met by the War Department in telegraphic instructions bearing date the 13th day of February, ultimo, to Generals Bragg and Pillow, not only stating the general doctrine that the War Department exercises through this Bureau exclusive control of the whole subject of conscription, but affirming that "if any officer otherwise appointed is styling himself an officer of conscription, or acting as such, the confusion thus created should be immediately ended." This telegram was replied to, I am informed from the War Department, within a few days by the two generals, and a further telegram was sent from the Department February 18 to General Bragg, through General Johnston, in effect reiterating and enforcing the doctrine of that first cited.

Brigadier-General Pillow's printed circular, herewith inclosed, of February 16, of "Instructions for the government of officers of this (his) bureau," states that "officers of this bureau will not interfere with camps of instructions established by State or Confederate authority, nor attempt the exercise of authority over officers on duty under either, nor with recruits or volunteers already sworn in and enrolled by them."

Before that date, however, his officers were abroad, and, so far as I can learn, with very different ideas as to the extent of their powers. But the same circular contains the following instruction:

> Exemptions which have been allowed by enrolling officers and others are liable to re-examination, and if found to have been granted in violation of the law will be set aside and the parties placed in the army.

This latter instruction is not only in violation of General Orders, No. 82, of 1862, No. 16, of February 7, 1863, and others, but of the law which makes the decision of the medical examining boards (created for the purpose by law) final on all questions of physical capacity for military service. It substitutes as interpreters of the law in other matters officers fresh from the Army and unversed in the business for those who have acquired experience and undergone training and systematic instruction in correspondence with higher authority.

My object in this communication is simply to ask the enforcement by the War Department of its orders, that recruiting officers of whatever rank detached from armies in the field shall not only keep within

their prescribed limits, but shall end confusion by divesting themselves of the titles on which they have assumed a nominal connection with the subject of conscription proper. The use of the heading "Conscript Bureau" in the orders of General Pillow and those acting under him throws the regular enrolling officers into difficulties which they would not have to encounter if fully aware that the authority thus claimed is wholly assumed. The high rank of the officer claiming such jurisdiction nullifies to a great extent the value of instructions sent them to the contrary from this Bureau.

Some of the first reports, brief and general, from commandants of conscripts have been already laid before the War Department. I respectfully refer you to others herewith inclosed.

March 13, one month after the War Department had sent its special instructions by telegram to General Pillow, the commandant of conscripts for Alabama sends a message, evidently rendered with some inaccuracy by the telegraph, which I quote as a sample,* other reports of the same character having reached me from other sources, orally and in writing.

It has not escaped me that these extreme measures may receive a sort of justification from their apparent immediate good effects in recruiting the Army more rapidly; but I see no reason to judge, from the various reports I receive, that all the substantial good attained might not have been reached with calmness, system, and an apparent as well as real respect for law, without unsettling whole communities and engendering a spirit of hatred and resistance to the very name of conscription. But for these irregularities we might have hoped to bring our people to realize that after all conscription has nothing in it dishonoring, but is the most equal and justly discriminating mode in which a country can summon to the field its proper defenders.

Under a system of indiscriminating force how many may be uselessly converted into inmates of hospitals; how many may suffer for want of the protection of duly administered law; what essential industries may be dislocated; what inconvenience the army supplies may suffer by subordinate and individual overruling of deliberately made details, and how much more the military force may hereafter have to be drawn on to hunt up evaders of conscription and deserters from service, are all questions which conjecture can only approximate to solving. The tendencies appear to me unmistakable, and as to the discharge of duty by this Bureau, I am satisfied that my officers throughout the country will lose all heart, authority, and energy if they cannot sustain themselves in their position as responsible and accredited agents in the eyes of the community.

The return of the accompanying papers is respectfully requested, as some of them contain matter other than that herein alluded to, and all of them are important to the records of this Bureau.

I am, sir, very respectfully, your obedient servant,

G. J. RAINS,
Brigadier-General and Superintendent.

[Inclosure No. 1.]

BROOKHAVEN, *February —, 1863.*

Brig. Gen. G. J. RAINS:

General Pillow has sent officers into this State to recruit, under circular of 8th of January from Adjutant and Inspector General's Office.

*See inclosure No. 10, p. 440.

They do not report to me for instructions, nor do they regard discharges on surgeons' certificates from the camp, saying they are not good.

M. R. CLARK,
Major, &c.

[Inclosure No. 2.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 13, 1863.

General BRAGG,
Tullahoma, Tenn.:

Lieutenant-Colonel Blake, commandant of conscripts for Tennessee, telegraphs that he has received special orders, militating against his regular instructions, from General Pillow, calling himself chief of a conscript bureau. The War Department exercises through the Bureau created for the purpose exclusive control of the whole subject of conscription. Its officers are not liable to orders, and no interference can be exerted from any other source without its special sanction in the particular case. If any officer otherwise appointed is styling himself an officer of conscription, or acting as such, the confusion thus created should be immediately ended. The only authority that is or can be delegated for recruiting is to regimental officers for accepting volunteers or gathering conscripts not yet in custody of regular enrolling officers.

By order of the Secretary of War:

J. A. CAMPBELL,
Assistant Secretary of War.

(Same sent to General Pillow (care of General Joseph E. Johnston), Tullahoma, Tenn.; General Colston, commanding, Petersburg; Colonels Shields, Blake, Preston, August, and Majors Swanson and Clark.)

[Inclosure No. 3.]

Instructions for the government of officers of this bureau.

GENERAL ORDERS, No. 96. HDQRS. VOL. AND CONSCRIPT BUREAU, ARMY OF TENNESSEE, *Huntsville, February 16, 1863.*

This bureau is organized to enforce the law. Its officers and agents have no power to suspend or to enlarge its provisions. Their duty is to enforce it, and this must be done.

Between the ages of thirty-five and forty there are many exemptions. These must be allowed where the parties in good faith are entitled to the exemptions. There are, however, many cases of fraudulent efforts to get the benefit of the law by parties trying to put themselves within its provisions who are not entitled to them. In all such cases the parties so acting must be put into the service.

Mechanics and manufacturers must have been such and carrying on their trade or occupation when the law was passed, viz, on the 11th of October, 1862, and must keep on hand a supply of material necessary to keep up their shops and business and must not exceed in their charges 75 per cent. profit on the cost of manufacture. If they do they forfeit their exemptions, and all such must be put into the Army.

Such is the case with every trade and occupation exempted by law for the good of the service or the country.

If the owners of cotton mills, tanneries, shoemakers, blacksmiths, and other manufacturers refuse to receive Confederate money for their products, you will report the parties' names to these headquarters, and unless there are urgent public reasons for a contrary course they themselves (if within conscript age) and their operatives will no longer be exempted.

Exemptions which have been allowed by enrolling officers and others are liable to re-examination, and if found to have been granted in violation of the law will be set aside and the parties placed in the Army.

All officers acting under the authority of this bureau when they receive a conscript or volunteer will swear them into the service, cause to be made out a descriptive roll, and where they have any doubt as to the parties reporting to the command they may elect to join will send them to the Army under a proper escort.

The wants of the infantry arm of the service require that all of the earliest conscripts obtained who are fit for it shall join the infantry. No cavalry officer engaged in enforcing the law under orders of this bureau will be allowed to accept conscripts for his command without permission from the chief of this bureau until the infantry arm shall be made strong enough to allow of a relaxation of this order.

Notice is hereby given the cavalry arm that all cavalrymen who are not mounted on efficient horses, as the law requires, will be required to be mounted on good horses in thirty days; otherwise they will be placed in the infantry; and that all stragglers and absentees from their commands after that date without proper authority will be conscripted and placed in that arm of the service. Citizens of one State found within the limits of another State and officers dropped in the reorganization of the Army and those who have resigned are liable, and where they fail to join as volunteers must be conscripted and placed in the service.

Officers of this bureau will not interfere with camps of instruction established by State or Confederate authority, nor attempt the exercise of authority over officers on duty under either, nor with recruits or volunteers already sworn in and enrolled by them.

We must all work in the same field of labor, relying upon superior energy and industry for success in strengthening the Army of Tennessee.

By order of Brigadier-General Pillow, C. S. Army, and chief of Volunteer and Conscription Bureau, Army of Tennessee:

H. C. LOCKHART,
Assistant Adjutant-General.

NOTE.—As a means of information to the army and the country the press is respectfully requested to give the above as wide a circulation as possible.

H. C. LOCKHART,
Assistant Adjutant-General.

[Inclosure No. 4.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 18, 1863.

General BRAXTON BRAGG,
Tullahoma, Tenn.:
(Through General Joseph E. Johnston.)

In consolidating, by General Orders, No. 112, of 1862, under one administration the matter of conscription, existing assignments of

officers from various sources to such duty were adopted. Thenceforward, however, all such officers became subordinate agents of the Bureau of Conscription, not elsewhere responsible, and any subsequent appointments clashing with these are viewed as in their nature incompatible with the system. As has been heretofore indicated, the Department approves of recruiting [and] the apprehension of stragglers and unenrolled material by officers sent from the field, and the commandants of conscripts shall co-operate with all such efforts, but the general control as defined by orders must remain with them.

The orders to send all conscripts from the camps in Alabama and Mississippi to the Army of Tennessee are still in force.

By order of the Secretary of War:

J. A. CAMPBELL,
Assistant Secretary of War.

[Inclosure No. 5.]

HEADQUARTERS CAMP OF INSTRUCTION,
Talladega, Ala., February 19, 1863.

Lieut. Col. G. W. LAY,
Asst. Adjt. Gen., Bureau of Conscription, Richmond, Va.:

COLONEL: Herewith I have the honor to inclose copies of two very remarkable orders recently received from General Bragg, and of my letter to Lieutenant Marchbanks, who was sent to put the latter of them in execution.

I am very much embarrassed by not knowing exactly what share of the direct enrollment and conscription of Northern Alabama has been assigned to General Bragg. I am informed by enrolling officers in various quarters that large detachments of cavalry from the Army of Tennessee are scouring the country and taking the work out of their hands. I feel quite confident of being able to perform this duty with at least equal efficiency and at less expense to the Government, if definite limits were assigned me and a definite responsibility attached to the duty, but am now embarrassed by ignorance of the extent and limitations of concurrent authority and duty claimed by different officers.

Very respectfully, your obedient servant,

W. T. WALTHALL,
Major, Commanding.

[Sub-inclosure No. 1.]

SPECIAL ORDERS, No. 32. HEADQUARTERS ARMY OF TENNESSEE,
Tullahoma, Tenn., February 7, 1863.

* * * * * * *

IV. Lieut. Col. John Weedon and Capt. J. D. Nott, Twenty-second Alabama Regiment, are hereby ordered to proceed to Talladega, Ala., for the purpose of bringing to this place conscripts that may be in camp there. One company of about fifty effective men will be allowed to remain in Talladega.

The arms, equipments, &c., of the men will be brought with them. These officers will return as soon as practicable and report in person to these headquarters.

By command of General Bragg:

GEO. W. BRENT,
Assistant Adjutant-General.

[Sub-inclosure No. 2.]

SPECIAL ORDERS, No. 37. } HEADQUARTERS ARMY OF TENNESSEE, *Tullahoma, Tenn., February 12, 1863.*

* * * * * * *

V. Lieut. Col. W. K. Beard, assistant inspector-general, will send an inspection officer without delay to Talladega, with an order to bring at once to this place all troops, conscript companies, &c., at that place, except the two companies of partisan rangers, which may remain as a guard to that place and Coosa River.

All deserters of this army will be brought, and the officer in command, Major Walthall, will be directed to send all men in future when he has forty over the two guard companies.

Any arms, &c., in the hands of these men will be brought.

* * * * * * *

By command of General Bragg:

KINLOCH FALCONER,
Assistant Adjutant-General.

[Indorsement.]

INSPECTOR-GENERAL'S OFFICE,
Tullahoma, February 13, 1863.

Lieutenant Marchbanks, assistant inspector-general, will proceed to Talladega, Ala., and execute the within order.

By command of General Bragg:

W. K. BEARD,
Inspector-General.

[Sub-inclosure No. 3.]

HEADQUARTERS CAMP OF INSTRUCTION,
Talladega, Ala., February 17, 1863.

Lieutenant MARCHBANKS,
Assistant Inspector-General, Talladega, Ala.:

SIR: I have the honor to acknowledge the receipt of paragraph V, Special Orders, No. 37, from headquarters Army of Tennessee, handed me by you yesterday.

This is an order virtually abolishing this camp of instruction, if carried out. The camp was established in pursuance of direct orders from the War Department. Officers have been provided for it by the same authority. It has been in operation for more than five months, and in spite of innumerable difficulties has been the means of drilling, disciplining, and sending into the field about 1,200 men, suppressing a number of attempts at organized rebellion in the adjacent country, and returning to their proper corps a very great number of deserters from the various armies in the field.

By reference to General Orders, No. 82, of 1862, from the office of the Adjutant and Inspector General, dated November 3, 1862, paragraph II, clause 4, modified by various subsequent orders from the same source, it will be observed that I am forbidden to recognize any order from "generals commanding departments or armies in the field." The only sources from which I can properly receive orders are the War Department, the Bureau of Conscription, and my senior in the same duty, Major Swanson, commandant of conscripts for this State. Unless the order presented by you should be approved by the one or the other of these authorities, it is impossible for me to obey it except under the compulsion of force.

I am under direct orders from the Bureau of Conscription to turn over to the Army of Tennessee all available men as fast as they can be prepared for the field. A detachment of nearly 200 has recently been forwarded in pursuance of this order. The camp had been well drained just previous to the reception of that order, and the conscripts are now coming in very slowly on account of the operations of recruiting officers recently sent out in pursuance of the circular of the 8th ultimo from the War Department. I am, therefore, able to furnish you at present with only thirty-three men, and even these are not properly "prepared for the field." Deducting these, my morning report shows 149 men present for duty, including the permanent guard retained by express authority of the Secretary of War; some half-clad men recently brought in, for whom I am endeavoring to procure clothing, &c.

I have no arms or equipments except a few furnished by the Chief of Ordnance, with the approval of the War Department, for special use at this camp, and so far from being able to spare these, I have only received about one-third of the number ordered to be sent me.

The two companies of partisan rangers alluded to in your orders are a portion of General Buckner's command sent here temporarily on special duty in suppressing rebellion, enforcing the conscription laws, &c. I presume the error may have arisen from the camp of instruction being confounded with the adjacent military post of Talladega, which is properly under the control of the department commander, though the camp is not.

Very respectfully, your obedient servant,

W. T. WALTHALL,
Major, Commanding.

[Inclosure No. 6.]

BROOKHAVEN, *February 20, 1863.*

General G. J. RAINS:

Lieut. James A. Lee, of the Seventh Mississippi Regiment, now on recruiting duty in this State, informs me that his orders from General Pillow are that he will have nothing to do with camp of instruction, and will enroll all men between the ages of eighteen and forty who are not legally exempt, whether discharged from the army or conscript camps, if within his judgment they will make good soldiers. There are a great many officers from that army who are acting under same instructions from the complaints made against them.

M. R. CLARK,
Major, &c.

[Inclosure No. 7.]

CHAPPELL'S DEPOT, S. C., *March 6, 1863.*

Honorable SECRETARY OF WAR:

SIR: I have been detailed to "proceed to that section of the State in which my regiment was raised for the purpose of recruiting volunteers, enrolling conscripts, and conducting to my command," and instructed to "be governed by the acts of conscription and exemption and regulations in connection therewith, published in General Orders, No. 82, of 1862, dated Adjutant and Inspector General's Office, Richmond, January 8, 1863."

In addition to the written (or printed) instructions from Brigadier-General Pillow, chief of Conscript Bureau, I also received some

verbal instructions which, according to my understanding of them, differ very materially from the course I find pursued by the enrolling officer of this district, especially as regards exemptions. Please to furnish me as early as convenient a copy of said Order No. 82 of 1862, dated January 8, 1863, and also specify instructions with regard to exemptions to owners or overseers of slaves.

Respectfully, your obedient servant,

W. S. PETERSON,
Captain Company D, Nineteenth Regiment S. C. Vols.

My post-office is Chappell's Depot, Greenville and Columbia Railroad, South Carolina.

[Indorsement.]

BUREAU OF CONSCRIPTION, *March 19, 1863.*

Respectfully returned to the War Department. The remarks called for by this paper are embodied in the general views of a communication of this date from the superintendent to the Secretary of War.

By order of the superintendent:

G. W. LAY,
Lieutenant-Colonel, Assistant Adjutant-General.

[Inclosure No. 8.]

HEADQUARTERS CAMP OF INSTRUCTION,
Talladega, Ala., March 8, 1863.

Lieut. Col. A. C. JONES,
Asst. Adjt. Gen., Bureau of Conscription, Richmond, Va.:

COLONEL: Herewith I inclose copies of a letter (marked No. 6) sent yesterday to Major Swanson with accompanying papers No. 1 to No. 5, inclusive.* The urgency of the case will be my apology for deviating thus far—if indeed it be a deviation—from the prescribed channel of correspondence in case any accident should have occurred to retard the transmission of my dispatches sent to Major Swanson.

Permit me also to add that I cannot doubt that there is some misunderstanding at the bottom of General Pillow's order, for several reasons:

First. In the first place Captain Lewis was sent to my assistance, not from the Army of Tennessee, but from the District of the Gulf, first by order of General Forney, afterward recalled and again sent back by General Buckner.

Second. Whatever offense may have been committed by Captain Lewis, I cannot suppose that it is intended by the War Department to visit it upon the officers and men of his command, by having them dismounted, disbanded, and conscribed as infantry, as directed by General Pillow.

The above considerations, however, would of course not occasion me to hesitate a moment in obeying an order properly authenticated, as coming from the Secretary of War—but

Third. I have received no order upon the subject. Two different orders have been exhibited to me, one sent by General Pillow, of the Army of Tennessee, to Major Chambliss, commanding a post in the District of the Gulf, and by him forwarded to me, who belongs to neither of those commands; the other sent by General Pillow to Lieutenant-Colonel Echols, an officer of the Army of Tennessee, on

*Inclosures not found.

detached service, and by him intrusted to Captain Sawyer, another officer on detached service. Both of these orders direct the officers receiving them to arrest an officer and disband and conscribe a corps serving under my command, without any reference to me.

Fourth. Finally, although the order given by General Pillow purports to be given by direction of the Secretary of War, there is nothing whatever to authenticate it or to authorize me to regard it as official, as may be perceived by reference to the papers herewith submitted.

For these reasons I have not felt authorized either to execute the orders myself or to permit Captain Sawyer to attempt to do so (thereby risking an almost inevitable mutiny and demoralization of the whole of Captain Lewis' command) without applying for further instructions upon the subject. In declining to do so I have been seriously desirous to avoid even the semblance of disrespect to General Pillow or any other officer concerned, and hope that my course will meet with the approval of the Bureau and the War Department.

Very respectfully, your obedient servant,

W. T. WALTHALL,
Major, Commanding.

[Inclosure No. 9.]

KNOXVILLE, TENN., *March 9, 1863.*

Lieut. Col. GEORGE W. LAY,
Asst. Adjt. Gen., Bureau of Conscription, Richmond, Va.:

COLONEL: I have permitted Lieutenant Butler to visit Richmond, at his own expense, in order that he may furnish the Department with any information that may be required relating to the condition of this department. General Pillow still retains his position as chief of Conscript and Volunteer Bureau, and refuses to allow Lieutenant Butler to resume the system required in Orders No. 82. He has also extended his operations to this portion of the State and sent officers into towns to procure volunteers, without regard to their enrollment. As the men thus received are accepted as volunteers, I fear the result will be inextricable confusion. I beg leave to acknowledge the receipt of your communication requiring me to report the number enrolled in East Tennessee, but as this is contained in my last return I presume you referred to Middle Tennessee, and I shall therefore make every effort to obtain the required information, although I could find no record of the operation of the law there since the 15th of December, 1862, but what was contained in my last report.

I have inclosed the return of conscripts received in East Tennessee during the last month.* The number transferred to regiments will exceed the number then reported. As soon as all the reports be received from recruiting officers I would respectfully recommend that the men collected by these officers be assembled at the camps of instruction, and be sent from them, under guard, to regiments at Mobile or Vicksburg. Under the present system the conscripts are easily induced to enter their names with the recruiting officers for regiments stationed near their homes, for no other reason than that [they] may have a better opportunity of deserting. All the conscripts from East Tennessee should be sent out of this section of the country. They are generally an ignorant class, who are easily affected by surrounding influences. Stationed at Mobile or Vicks-

* Not found.

burg, they may render the country good service, but here they never will. Since the operation of the conscript law in East Tennessee the regiments stationed there are more nearly full than those of any other section of the country, notwithstanding the number of desertions, while those at Vicksburg are very much reduced.

I would again call your attention to the importance of requiring all discharges on account of having furnished a substitute to give the age of the substitute. In the event of another call, to the age of forty-five years, it would be found that many who have already furnished substitutes would themselves be liable.

The number of details furnished for the Quartermaster's Department will be sent you in a few days. Descriptive rolls of all persons detailed have been kept in this office, and such men can at any time be put into the ranks should it be required. A reduction of the number could, in my opinion, be made with advantage to the service, but it should be judiciously reduced after a careful inspection of the various departments where detailed men are employed. The recruiting of companies for the enforcement of the law, from non-conscripts, I regret to say, progresses but slowly. Could such persons be assured that they would be allowed some time to attend their farms I have no doubt that I could soon procure a force that would render good service. I propose, therefore, that one-third be allowed to farm while the two-thirds shall be engaged in enforcing the conscript law, which will probably offer the double advantage of producing provisions and men for our Army.

Respectfully, your obedient servant,

E. D. BLAKE,
Lieut. Col., C. S. Army, Commandant of Conscripts.

[Inclosure No. 10.]

NOTASULGA, *March 13, 1863.*

General G. J. RAINS:

Lieut. Col. J. W. Echols, of the Thirty-fourth Alabama Regiment, has established his headquarters in Montgomery, Ala., and styles himself chief of Volunteer and Conscript Bureau, with orders from General G. J. Pillow which are in direct violation of General Orders, No. 82, of 1862, and the circular of the 8th of January, 1863. This officer with his constant disregard all details, exemptions, and discharges, though the discharge may be from the district examining board, and for permanent disability, they are producing much confusion and dissatisfaction. [*Sic.*]

W. G. SWANSON.

[Inclosure No. 11.]

KNOXVILLE, TENN., *March 13, 1863.*

Lieut. Col. GEORGE W. LAY,
Asst. Adjt. Gen., Bureau of Conscription, Richmond, Va.:

COLONEL: I have the honor herewith to inclose an order of Colonel Coltart published in the Knoxville papers, and to ask whether the order has been published by direction of the Superintendent of the Bureau of Conscription.

Respectfully, your obedient servant,

E. D. BLAKE,
Lieut. Col., C. S. Army, Commandant of Conscripts.

[Sub-inclosure.]

GENERAL ORDERS, No. 1. HDQRS. SUB-DEPT. VOLUNTEER AND CONSCRIPT BUREAU, ARMY OF TENN., *Greeneville, Tenn., March 9, 1863.*

I. Col. J. G. Coltart being assigned to duty in this department hereby assumes command.

II. For the information of all officers concerned, Special Orders, No. 145, dated headquarters Volunteer and Conscript Bureau, Army of Tennessee, Huntsville, Ala., March 4, 1863, is published below, and it will be immediately complied with.

By order of J. G. Coltart, colonel, commanding Sub-Department Volunteer and Conscript Bureau:

J. T. BRUCKNER,
Adjutant.

SPECIAL ORDERS, No. 145. HDQRS. VOL. AND CONSCRIPT BUREAU, *Huntsville, Ala., March 4, 1863.*

I. All the officers of this bureau on duty in East Tennessee and Western North Carolina will report by letter to Col. John G. Coltart, commanding sub-department, of which Greeneville is the rendezvous.

They will be governed by his instructions, and he will give them active and energetic support in the discharge of their duties.

By order of Brigadier-General Pillow, C. S. Army, and chief of bureau:

H. C. LOCKHART,
Assistant Adjutant-General.

GENERAL ORDERS, No. 31. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, March 19, 1863.*

In consequence of numerous applications made by various persons to the War Department, it is obvious that some misconception in regard to the instructions of the Secretary of War in relation to the impressment of supplies must exist on the part of the people, or that the agents of the Government have violated their instructions. Now, therefore, for the purpose of removing such misconception, and to prevent any violation of those instructions, it is hereby ordered:

I. That no officer of the Government shall, under any circumstances whatever, impress the supplies which a party has for his own consumption, or that of his family, employés, or slaves.

II. That no officer shall at any time, unless specially ordered so to do by a general commanding in a case of exigency, impress supplies which are on their way to market for sale on arrival.

III. These orders were included in the instructions originally issued in relation to impressment by the Secretary of War, and the officers exercising such authority are again notified that "any one acting without or beyond" the authority given in those instructions will be held strictly responsible.

IV. When non-commissioned officers, musicians, or privates entitled to furloughs under the act of December 11, 1861, or that of April 16, 1862, have died, or may hereafter die, before the receipt thereof, their personal representatives shall be allowed the commutation value of

transportation from the point where such parties die to their homes and back.

V. When non-commissioned officers, musicians, or privates entitled under either of the preceding acts to a furlough, shall have been, or may hereafter be, promoted to the rank of commissioned officers prior to the receipt thereof, they shall be allowed the same commutation as is provided in the previous paragraph, or when they go on leave the transportation in kind, at their option.

VI. Claims arising under paragraph I will be settled by the Second Auditor; those under paragraph II by officers of the Quartermaster's Department. In the latter class the facts must be attested by the certificate of the commanding officer of the regiment to which the claimant belonged at the date of his promotion.

By order:

S. COOPER,
Adjutant and Inspector General.

CIRCULAR.] SURGEON-GENERAL'S OFFICE,
Richmond, Va., March 19, 1863.

Medical purveyors will make endeavors, through cards published in newspapers, to induce the ladies throughout the South to interest themselves in the culture of the garden poppy. They may thus render the Confederacy essential service. Purveyors will furnish the ladies with the seeds of the poppy if on hand or procurable, and will instruct them that the juice exuding from the punctured capsules, when sufficiently hardened, should be carefully put up and forwarded to the nearest purveying depot.

SAMUEL PRESTON MOORE,
Surgeon-General, C. S. Army.

HDQRS. VOL. AND CONSCRIPT BUREAU, ARMY OF TENN.,
Huntsville, Ala., March 19, 1863.

Captain FALCONER,
Assistant Adjutant-General:

SIR: I acknowledge the reception of the copy of the communication of the Secretary of War of the 2d instant to General Bragg* relating to the organization of this bureau and the conscript law, together with instructions of General Bragg directing "a prompt and rigid compliance with the instructions of this letter" of Secretary of War. This I will of course as promptly as possible do. These instructions will materially change the operations of this bureau by curtailing the extent of the organization as well as the population out of which I am allowed to draw support for General Bragg's army. The instructions as I understand them "cut up by the root" all power to enforce the conscript law through the agencies of this bureau. They only allow the recruiting service in Mississippi and that part of Alabama north of the Alabama and Tallapoosa Rivers. In Mississippi General Pemberton's army absorbs nearly all from the conscript camps. In

*See Seddon to Johnston, p. 415.

North Mississippi Governor Pettus' cavalry (thirteen companies) is absorbing those liable to conscript duty. West Tennessee and a large portion of Middle Tennessee (from which the larger portion of your army comes) are closed against the recovery of even your stragglers. So of parts of Louisiana, Texas, and Arkansas by the occupation of the enemy.

Acting under the instruction of the general in the original order organizing the bureau (based on the order of 8th of January from the War Department), I considered myself not only authorized but directed to embrace in the work of the bureau the enforcement of the conscript law. But from this letter of the Secretary it would seem that the Government's order of 8th of January was not understood by the general commanding the army or myself. My orders and instructions to the officers of this bureau and the field organization of the bureau were all submitted to the general, and have been approved by him. I certainly supposed I was acting in strict compliance with my instructions and with the order of the War Department of January 8. In all cases I have given special instructions to my officers not to come into conflict with nor to interfere in any way with the officers, orders, or organization of the Bureau organized by order at Richmond. And as far as I know this has not been done except in my special order by telegram to Lieutenant-Colonel Blake, at Knoxville, directing him to send forward the conscripts at that camp (which order was given by General Bragg's directions at a time when both he and myself thought Lieutenant-Colonel Blake was under his orders), and the order to Major Matthews placing him at Fayetteville, Ala., under his own application, he having reported to me, and I supposing he was at the time acting under General Bragg's orders. I have explained both of these cases to the War Department. A copy of my letter was read to the general.

In my instructions to the officers at work in the field I have said that certificates of exemption were subject to re-examination, and if they were found to have been granted in violation of the law they would be set aside. This has, I have no doubt, been done in many cases. From my knowledge of the loose and careless manner in which these exemptions were granted by State and Confederate officers, this became a necessity; else a very large number of able-bodied men would escape service altogether. In many cases these exemption papers were obtained by false representations of the parties exempted. In others by the natural sympathy of examining surgeons for friends of theirs, reluctant to go into the Army; while still another class were obtained by favoritism of enrolling officers. And in one case I have reason to believe from information which I received, though personally I know nothing of the facts, an enrolling officer or commandant of conscripts granted exemption papers for a consideration. In other cases a system of furlough after enrollment left the enrolled at home and at liberty to go or not into the Army, at the election of the party. In some counties in Central Alabama the country was full of enrolled and furloughed men, while the conscript camps were empty or nearly so. In one case I found a citizen enrolling officer, appointed by a captain, enrolling officer in the field, a drunken, worthless man. If my instructions to officers of this bureau, that these certificates of exemption were not conclusive, but were subject to re-examination, were wrong, then I see no end to the abuses and frauds upon the law, and I know not where the men are to come from to fill up our reduced armies, for the

great mass of men capable of duty in the Army yet remain at home, have exemption papers or are enrolled and going at large with furloughs from thirty to ninety days' duration. In some cases my officers report that furloughs have been granted till the crop was made, and in some others until the end of the war.

It was in view of these abuses and frauds upon the law that I deemed it necessary to give instructions that certificates of exemption were subject to re-examination. I have given no order at any time in conflict with the orders or instructions of the War Department, or in conflict with the orders and instructions of the officers acting under it, except in the cases above specified. In regard to the cases of furloughs granted after enrollment by enrolling officers and commandants of conscripts, General Bragg directed me not to pay any attention to furloughs of enrolled men found out of camps of instruction for a longer period than thirty days. Under the instructions of the Department, as I now understand them, I am confined to the recruiting service. Of course this excludes the enforcement of the conscript law and all compulsory service, and I am limited in the field to part of Alabama, and with Mississippi overrun by the enemy in the northern range of counties, with State organization cavalry service in all that part of North Mississippi, and with a large army occupying that State (a service which the people prefer as being nearer their homes)—under all these circumstances I feel that I can no longer be of service in my present position. I therefore most respectfully request that the general will relieve me from further duty in this bureau. There is no sacrifice I would not willingly make to advance the interest of the service and promote the strength of General Bragg's army, but it is manifest that the order of the general for the organization of this bureau (as he understood the view of the Government from order of January 8) is not approved by the Government. I have in nothing transcended the powers conferred or violated the principles laid down by him for my government. I have in no instance interfered with the Richmond organization except in the cases above explained. If my bureau work has practically set aside that Bureau, as the Secretary intimates in his dispatch, it cannot be because of any conflict. There may be cases in which my officers have failed to make proper reports to enrolling officers of men brought by them into the army. I know of none, and none have been reported to me from any source. I gave all I put under instructions orders to so report. If this were the gravamen of the Honorable Secretary's complaints against the bureau, it is a matter I would have promptly corrected if I had known such was the fact.

This explanation of the organization, its work, and working order of the bureau [is] due alike to the general (whose confidence I am happy to believe I possess), to the Government (whose approval I had hoped my conduct would receive), and to my own reputation.

In conclusion, I beg to repeat my request to be relieved from further labor in this bureau.

GID. J. PILLOW,
Brigadier-General, C. S. Army,
and Chief of Bureau, Army of Tennessee.

[First indorsement.]

Forwarded for the information of the War Department.

General Pillow has acted most zealously and efficiently in strict conformity with the orders of the Department and his instructions from

these headquarters. In six weeks he has done ten times as much to strengthen this army as all the conscript officers. His reports and returns, of course, could not have reached them by the time they complained. He but feebly portrays the abuses known to exist in our conscript camps. As requested, he will be relieved and this army will again decrease.

BRAXTON BRAGG,
General, Commanding.

[Second indorsement.]

TULLAHOMA, *March 27, 1863.*

The attention of the War Department is respectfully asked to the statement of the abuses prevailing in the conscript service, which is far from exaggeration. Unless the organization of that service is improved we shall receive few more recruits in this army.

J. E. JOHNSTON,
General.

[Third indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
April 1, 1863.

Respectfully submitted to the Secretary of War.

H. L. CLAY,
Assistant Adjutant-General.

[Fourth indorsement.]

APRIL 3, 1863.

Referred to Bureau of Conscription.
By order of Secretary of War:

J. A. CAMPBELL,
Assistant Secretary of War.

[Fifth indorsement.]

BUREAU OF CONSCRIPTION, *April 14, 1863.*

Respectfully returned to the War Department.
This paper is just received here to-day for the second time. Its second reference to this office is supposed to be the result of accident or mistake, as it was fully reported on and returned inclosed in a letter from the superintendent to the War Department April 7, 1863.*
By order of the superintendent:

G. W. LAY,
Lieutenant-Colonel and Assistant Adjutant-General.

AN ACT to provide and organize engineer troops to serve during the war.

The Congress of the Confederate States of America do enact, That there shall be selected, in such manner as the Secretary of War may direct, from each division of infantry in service, one company of engineer troops, to consist of one hundred men, chosen with a view to their mechanical skill and physical fitness, and that the men assigned to such company shall be required to serve in the same only during the balance of their term of service, respectively.

SEC. 2. That each company shall consist of eight sergeants, seven corporals, forty artificers, and forty-five laborers, and that two musicians may be added.

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* See p. 473.

SEC. 3. That the commissioned officers of each company shall consist of one captain, one first lieutenant, and two second lieutenants; and that the original vacancies in these companies shall be filled by the transfer of officers of corresponding grade from the Engineer Corps, if practicable, and where not, then from the other corps, or from the line or staff of the Army, reference being always had to their qualification as engineers, or by selection; but no one shall be selected who is not now serving in or with the Army, unless he is a military or civil engineer.

SEC. 4. That the companies shall be organized into regiments of ten companies each, and that the field and staff officers shall consist of one colonel, one lieutenant-colonel, one major, one adjutant with the rank of first lieutenant, one quartermaster-sergeant, and one sergeant-major; and that the original vacancies in the regiments shall be filled in the manner provided for filling the same in the companies, by the third section of this act; and that the sergeant-major and the quartermaster-sergeant shall be selected from the enlisted men of the Army.

SEC. 5. That in each regiment two of the companies shall be assigned to duty as pontoniers, and each be furnished with a bridge train complete.

SEC. 6. That the officer in charge of the Engineer Bureau, subject to the approval of the Secretary of War, shall prescribe the number, form, and dimensions of the wagons, pontoons, trestles, tools, implements, arms and other necessaries for all the troops organized by this act.

SEC. 7. That vacancies in the established regiments to, and including the rank of colonel, shall be filled by promotion, regimentally, according to seniority, except in case of disability or other incompetency.

SEC. 8. That the monthly pay of the engineer troops shall be as follows: Of a colonel, two hundred and ten dollars; of a lieutenant-colonel, one hundred and eighty-five dollars; of a major, one hundred and sixty-two dollars; of a captain, one hundred and forty dollars; of a first lieutenant, one hundred dollars; of a second lieutenant, ninety dollars, and the adjutant shall receive ten dollars per month in addition to his pay as lieutenant.

SEC. 9. That the pay of the enlisted men, per month, shall be as follows: The sergeant-major and quartermaster-sergeant, each, twenty-one dollars; sergeants, thirty-four dollars; corporals, twenty dollars; artificers, seventeen dollars; laborers and musicians, thirteen dollars.

SEC. 10. That mounted engineer troops may be selected from the cavalry, and be organized according to the provisions of this act, for engineer troops, as hereinbefore specified.

Approved March 20, 1863.

HEADQUARTERS,
Fredericksburg, Va., March 20, 1863.

Hon. ED. SPARROW,
Chairman Senate Committee Military Affairs:

SIR: I regret that my absence and necessary attention to [pressing] matters since my return have prevented an earlier reply to your letter of the 11th instant. Before expressing my views in relation to Senate bill No. 73, of which you have done me the honor to ask my opinion, it may be proper for me to state that the more simple the organization

of our Army the more suitable in my opinion will it be to our service, and that every possible reduction in its expense should be made.

First. I highly approve of the assignment of a general officer to duty as chief of staff to a general commanding a separate army. The grade of colonel I should think sufficient for the inspector-general, quartermaster-general, chief commissary, chief of ordnance, and medical director. Two, or at most three, aides-de-camp, one of the grade of lieutenant-colonel, the other of major of cavalry, I should think sufficient. On the field all the members of the staff departments can perform the duties of aides. Off the field the aides have less duty than officers of the staff departments. If it is intended to dispense with all the assistant adjutants-general now allowed, there will have to be an assistant to the chief of staff and to the inspector-general of a grade lower to each to attend to the duties of the office, &c.

Second. I would suggest that the assistant adjutant-general, inspector-general, chief quartermaster, chief commissary, and chief of ordnance to lieutenant-generals in the field be all placed on an equal footing and have the grade of lieutenant-colonels of cavalry. I think, too, that the adjutant-general and inspector-general should each have an assistant with the rank of major; otherwise they will be unable to perform the necessary office and outdoor work. He should also be allowed a surgeon of the grade of major and two aides-de-camp, one with the rank of major and one captain of cavalry. It is better, I think, to give more strength to the adjutant and inspector generals' departments and to diminish the aides.

Third. To a major-general commanding a division I would recommend that one assistant adjutant-general, one assistant inspector-general, one chief quartermaster, one chief commissary, and one chief of ordnance be allowed of the grade of major of cavalry; also one surgeon of the same grade and two aides-de-camp, one of the grade of captain and one of first lieutenant of cavalry.

Fourth. To a brigadier-general commanding a brigade I would suggest that two assistant adjutant and inspectors general be allowed of the grade of captain of cavalry for the indoor and outdoor work, a surgeon of the grade of major, [and] one aide-de-camp of the grade of first lieutenant of cavalry. A regiment should have a regimental adjutant and quartermaster. I consider a regimental commissary unnecessary.

Fifth. In the fifth and sixth sections of the bill I see no improvement to be made.

I have the honor to be, with great respect, your obedient servant,

R. E. LEE,
General.

CAMP NEAR FREDERICKSBURG, *March 21, 1863.*

His Excellency JEFFERSON DAVIS,
President of the Confederate States:

MR. PRESIDENT: Upon an examination of the Senate bill presented by General Sparrow for the organization of the staff of the Army, I think some changes might be made to advantage. These will readily occur to you, and I will therefore allude to them generally. I think it important, and, indeed, necessary, to simplify the mechanism of our Army as much as possible, yet still to give it sufficient power to move and regulate the whole body. Our armies are necessarily very large

in comparison with those we have heretofore had to manage. Some of our divisions exceed the army General Scott entered the City of Mexico with, and our brigades are larger than his divisions. The greatest difficulty I find is in causing orders and regulations to be obeyed. This arises not from a spirit of disobedience, but from ignorance. We therefore have need of a corps of officers to teach others their duty, see to the observance of orders, and to the regularity and precision of all movements. This is accomplished in the French service by their staff corps, educated, instructed, and practiced for the purpose. The same circumstances that produced that corps exist in our own Army. Can you not shape the staff of our Army to produce equally good results? Although the staff of the French army is larger than that proposed by Senate bill, I am in favor of keeping ours down, as it is so much easier to build up than to deduce, if experience renders it necessary. I would therefore assign one general officer to a general commanding an army in the field, and give to his inspector-general, quartermaster-general, commissary-general, chief of ordnance, and medical director the provisional grade of colonel of cavalry. I would reduce his aides and give to his chief of staff and inspector-general assistants, or they will never be able to properly attend to their outdoor and indoor work, which from the condition of our Army, as before stated, is very heavy. I would apply the same principles to the division and brigade staff, placing their chiefs on an equal footing and giving each a complete organization in itself, so that it can maneuver independently of the corps or division to which it is habitually attached and be detached with promptness and facility when required. Each, therefore, in addition to its general staff, should have a surgeon, quartermaster, commissary, and ordnance officer. If you can then fill these positions with proper officers, not the relatives and social friends of the commanders, who, however agreeable their company, are not always the most useful, you might hope to have the finest army in the world.

I beg you will excuse the liberty of my suggestion, and believe me, with great respect,

Your obedient servant,

R. E. LEE,
General.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 32. } *Richmond, March 21, 1863.*

I. Paragraph V, General Orders, No. 66, Adjutant and Inspector General's Office, September 12, 1862, is so far amended as to read as follows:

Enrolling or recruiting officers, in the discharge of their duties under the conscript or other acts, are enjoined not to remove or interfere with workmen or employés at the niter, lead, or copper works, or mines or furnaces worked by Government officers, or by contractors for the Ordnance Department, without first apprising and obtaining the consent of the superintendent or officer in charge, who will be held strictly responsible for any abuse or evasion of the law.

II. The operation of paragraph 1253, Confederate States Army Regulations, is hereby suspended during the existing war.

III. Paragraph II, General Orders, No. 30, current series, is amended to read as follows:

Any contractor under the Government who shall employ any workman leaving, without proper discharge, a Government establishment, or the employment of another contractor under the Government, shall be notified at once that the detailed men and conscripts in his employment be returned to their proper officers, upon report of the facts to the chief of the bureau or department for the service of which the details were made.

By order:

S. COOPER,
Adjutant and Inspector General.

LONDON, *March 21, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: Having just heard that there was an indirect way of sending a letter to the Confederacy to-day, I take the liberty of advising that I wrote you fully 13th and 14th instant on the subject of my business here, and have since received your valued favor of 7th of February. Immediately on receipt of it I called on Major Huse, or rather at his late address, and regret exceedingly to find that he is on the Continent. As soon as I can ascertain his address I will write him. In the meantime, on conferring with Mr. Mason, I have determined not to lose any time in getting my scheme started, or rather in arranging to get it started, and as the cotton loan is being taken with avidity, it enables Mr. Mason to assure me of the necessary funds, and I think you may confidently rely upon my carrying out the arrangement at least as rapidly as suggested in the memorandum attached to my letter of 14th instant. I think it prudent not to say more, as I will next week have a safe conveyance, and will write you fully.

Your most obedient,

W. G. CRENSHAW.

[MARCH 21, 1863.—For J. E. Johnston to Seddon, in relation to the procurement of supplies in Middle Tennessee, see Series I, Vol. XXIII, Part II, p. 718.]

HDQRS. VOL. AND CONSCRIPT BUREAU, ARMY OF TENN.,
Huntsville, Ala., March 22, 1863.

Colonel BRENT,
Assistant Adjutant-General:

If the compulsory principle of enforcing the conscript law is abandoned the law itself at once becomes a dead letter. There are but two modes of keeping up the strength of our armies, viz, the system of volunteer recruits and the compulsory system. In the early part of this war the first of these systems had exhausted itself. The conviction of this fact induced the enactment of the conscript law, which rests upon the compulsory principle as its basis. The organization of the Richmond Bureau is based upon the supposition that the moral obligation created by the law will be sufficient to bring into the Army the great mass of men liable to duty under the law. In other words, that enrollment and orders will bring them into the Army. The practical working of that Bureau has established, I think, conclusively the

fallacy of this theory. Such, too, has been the case wherever the conscript law has been in force in the governments of Europe.

Wherever the governments have agencies in the field for compelling obedience to the law the men are brought into the Army. In the French service these conscripts are arrested, placed in schools of instruction, are kept separate from the army, have their own uniform, and are constantly guarded and never allowed to leave their barracks except under guards who accompany them, until fit to enter the army. My knowledge of this service and of the measures necessary to give success to any system of conscripting those liable to law, has satisfied me that no organization will be successful which does not rest on the exercise of force where necessary. The great mass of men yet liable to duty under the law will have to see that the Government has the means at hand to enforce the law before they will enter the service. If properly sustained by the Government and relieved from the embarrassment of having two organizations in the field, with the agencies now employed in this bureau and those of the Richmond Bureau united, I am certain that I could throw into the Army 100,000 men in a short time. I am relieved from most unpleasant labor—most distasteful to my feelings—by the orders from the War Department. I had informed the general commanding that I should apply to him soon to be relieved from duty in this bureau, and I have no regrets at the action of the War Department, but I feel sure that in the end the Government will be forced to adopt means of compulsory service, and I cannot but regret that so much time, now so important to the country, should be lost.

I have been led to the expression of these views from the conviction of the great importance of the subject and the necessity of placing before the Government all the information necessary for its proper consideration and adoption of a wise system of executing the conscript law. With this view, I hand you another sworn statement* of a most intelligent and efficient officer who has been on duty in connection with service for some time under General Bragg's orders. I think his opinions may be useful to the Government and that the facts he states will be especially so.

With great respect,

GID. J. PILLOW,

Brig. Gen., C. S. Army, Chief of Bureau, Army of Tennessee.

AN ACT to provide for the funding and further issue of Treasury notes.

The Congress of the Confederate States of America do enact, That all Treasury notes not bearing interest, issued previous to the first day of December, eighteen hundred and sixty-two, shall be fundable in eight per cent. bonds or stock, until the twenty-second day of April, eighteen hundred and sixty-three; that from that date until the first day of August, eighteen hundred and sixty-three, they shall be fundable in 7 per cent. bonds or stocks, and after the said first day of August they shall no longer be fundable at the pleasure of the holder, but shall be receivable in payment of public dues, except the export duty on cotton, and payable six months after the ratification of a treaty of peace, as specified on their face. All Treasury notes not bearing interest, issued after the first day of December, eighteen

* Not found.

hundred and sixty-two, and within ten days after the passage of this act, shall be fundable in seven per cent. bonds or stock until the first day of August next; and after the said first day of August shall be fundable only in bonds bearing interest at the rate of four per cent. per annum, and payable at any time not exceeding thirty years from the date thereof; and all such notes not funded shall be receivable in payment of all public dues except the export duty on cotton, and shall be payable six months after the ratification of a treaty of peace between the Confederate Government and the United States. All call certificates bearing eight per cent. interest shall, with the accrued interest, be fundable on or before the first day of July, eighteen hundred and sixty-three, into bonds of the Confederate States, bearing interest at the rate of eight per cent. per annum, and payable at any time not exceeding thirty years after their date: *Provided*, That the accrued interest aforesaid may, at the option of the holder, be paid instead of being funded. All call certificates of every description, outstanding on the first day of July, eighteen hundred and sixty-three, shall, after that date, be deemed to be bonds bearing an annual interest of six per cent., and payable at a date not exceeding thirty years from the said first day of July, eighteen hundred and sixty-three.

SEC. 2. In lieu of the power heretofore given by law to the Secretary of the Treasury to issue Treasury notes, he shall be authorized to issue monthly an amount of such notes, bearing no interest, not exceeding fifty millions of dollars, which shall be receivable in payment of all public dues, except the export duty on cotton, and payable within two years after the ratification of a treaty of peace between the Confederate States and the United States, and fundable at the pleasure of the holder, during twelve months from the first day of the month of their issue, in bonds of the Confederate States, payable at any time not exceeding thirty years after date, and bearing rates of interest as follows: If funded within twelve months from the first day of the month of their issue, the bonds shall bear six per cent. interest per annum; if funded after that period they shall be fundable into bonds bearing four per cent. interest per annum. These notes shall bear upon their face the month and year of their issue, and if not funded shall be paid at the time specified on the face without interest.

SEC. 3. After the passage of this act the authority heretofore given to issue call certificates shall cease, but the notes fundable into six per cent. bonds may be converted at the pleasure of the holder into call certificates, bearing interest at the rate of five per cent. per annum from the date of their issue. That every such certificate shall bear upon its face the monthly date of the oldest of the notes which it represents, and be convertible into like notes at any time within six months from the first day of the month of its monthly date aforesaid. But every certificate not reconverted within six months from the first day of its monthly date shall be exchanged for a bond payable at any time not exceeding thirty years from the expiration of the said six months, and bearing interest at the rate of six per centum per annum. Treasury notes which, by the operation of this act, become fundable into bonds, bearing a yearly interest of four per cent., may be converted, at the pleasure of the holder, into call certificates, bearing interest at the rate of four per cent. per annum from their date until reconverted or paid; the said certificates being reconvertible at any time by the holder into notes fundable in four per

cent. bonds, and payable and receivable as heretofore prescribed; but the said certificates may be redeemed by the Government after six months from the ratification of a treaty of peace between the Confederate States and the United States.

SEC. 4. That all bonds or registered stock authorized to be issued by this act shall be payable not less than thirty years after date; but shall be redeemable five years after date, at the pleasure of the Government, and shall in other respects conform to existing laws.

SEC. 5. The Secretary of the Treasury shall use any disposable means in the Treasury, which can be applied to that purpose without injury to the public service, to the purchase of Treasury notes bearing no interest, and issued after the passage of this act, until the whole amount of Treasury notes in circulation shall not exceed one hundred and seventy-five millions of dollars.

SEC. 6. The Treasury notes hereby allowed to be issued shall be of any denomination of not less than five dollars, which is now authorized by law, that the Secretary of the Treasury may direct. The authority hereby given shall cease at the expiration of the first session of Congress, after the ratification of a treaty of peace, or at the end of two years, should the war continue so long.

SEC. 7. In addition to the authority hereinbefore given to the Secretary of the Treasury to issue Treasury notes, he shall be allowed to issue notes of the denominations of one dollar, and of two dollars, and of fifty cents, to such an amount as, in addition to the notes of the denomination of one dollar, heretofore issued, shall not exceed the sum of fifteen millions of dollars; and said notes shall be payable six months after the ratification of a treaty of peace between the Confederate States and the United States, and receivable in payment of all public dues except the export duty on cotton, but shall not be fundable.

SEC. 8. That the Secretary of the Treasury be authorized to sell bonds bearing six per cent. interest per annum, and payable, as hereinbefore directed, at par for Treasury notes issued since the first of December, eighteen hundred and sixty-two, to such of the Confederate States as may desire to purchase the same; or he may sell such bonds, when guaranteed by any of the States of the Confederacy, upon such plan as may be determined by the Secretary of the Treasury, for Treasury notes, on such terms as he may deem advisable, to the highest bidder, and not below par: *Provided, however*, That the whole amount of such bonds shall not exceed two hundred millions of dollars: *And provided further*, That the Treasury notes thus purchased shall not be reissued, if the effect of such reissue would be to increase the whole amount of Treasury notes, bearing no interest, which are in circulation, to a sum greater than one hundred and seventy-five millions of dollars. And the Secretary of the Treasury is also authorized, at his option, after the first of July, eighteen hundred and sixty-three, to issue and sell, at not less than par, as estimated in Treasury notes, coupon bonds of the Confederate States bearing six per cent. interest per annum, and payable as hereinbefore directed. The said coupons to be paid at the pleasure of the owner, either in the currency in which interest is paid on other bonds of the Confederate States, or else in cotton certificates which pledge the Government to pay the same in cotton of the quality of New Orleans middlings. The said cotton to be paid at the rate of eight pence sterling per pound, and to be delivered at any time within six months after the ratification of a treaty of peace between the Confederate

States and the United States, at any or all of the ports of New Orleans, Mobile, Savannah, Charleston or Wilmington, as the Secretary of the Treasury may direct: *Provided, however*, That the bonds hereby authorized shall not exceed one hundred millions of dollars, and shall be applied only to the absorption of Treasury notes, as prescribed in this act.

SEC. 9. That it shall be the duty of the Secretary of the Treasury, immediately after the passage of this act, to make publication of a copy thereof in each State, in at least two newspapers published in the State, and to have said publication continued until the first day of August, eighteen hundred and sixty-three.

Approved March 23, 1863.

CIRCULAR.] QUARTERMASTER-GENERAL'S OFFICE,
Richmond, March 24, 1863.

To avoid conflict and competition between the officers of this department in the purchase of army supplies, and, as far as possible, between officers of this department and those of the Ordnance Bureau or Commissary Department, in the purchase of supplies common to both, quartermasters are especially directed to observe the following regulations:

1. The following named States will constitute separate purchasing districts and the officers herein designated will have respectively in each the exclusive control, in person or through subordinates, of all purchases of supplies needed by this department: (1) Virginia, Lieut. Col. L. Smith, Richmond; (2) North Carolina, Maj. W. W. Peirce, Raleigh; (3) South Carolina, Maj. Hutson Lee, Charleston; (4) Georgia, Maj. I. T. Winnemore, Augusta; (5) Alabama, Maj. J. L. Calhoun, Montgomery; (6) Mississippi, Maj. L. Mims, Jackson; (7) Florida, Maj. H. R. Teasdale, Lake City; (8) Louisiana, Maj. G. W. Grice, Alexandria; (9) Texas, Maj. T. A. Washington, San Antonio; (10) Arkansas and Missouri, Maj. J. B. Burton, Little Rock; (11) Tennessee and Kentucky, Maj. James Glover, Knoxville.

2. It shall be the duty of these principal purchasing officers to establish and from time to time regulate the prices at which army supplies are to be bought, and to confer with each other so as to secure, as far as practicable, uniformity therein, making due allowance for differences of locations and other circumstances. They will require from their subordinates monthly reports showing the quantity of supplies purchased or manufactured by them, what thereof has been issued, and the residue on hand. A summary of these, together with a similar statement of his own operations, will be forwarded monthly by the chief officer to the Quartermaster-General, and the same will be accompanied by general remarks showing what supplies, either manufactured or in the raw material, he may have an excess beyond his future wants, so that it may be transferred elsewhere when needed. The average cost of each article of supply will also be stated.

3. Quartermasters stationed at the various posts within either of said purchasing districts will be the subordinate purchasing officers therein, and before buying supplies or contracting therefor they will confer with the principal officer and conform to such general or specific instructions as he may give respecting the price, quantity, or quality of the supplies bought.

4. Main depots of supplies will be established at Richmond and Staunton, Va.; Raleigh, N. C.; Columbus and Atlanta, Ga.; Hunts-

ville and Montgomery, Ala.; Jackson, Miss.; Alexandria, La.; Little Rock, Ark.; Knoxville, Tenn.; San Antonio, Tex., or elsewhere, as may hereafter be indicated. These will not be subject to the orders of commanding generals, but will be under the exclusive control of the Quartermaster-General, and issues therefrom will be made only on requisitions approved by him.

Minor depots may be established by the principal purchasing officers at such other points within their districts as the necessities of the service may require, and their locations will be reported, from time to time, to this office.

5. The chief quartermaster of each separate army will draw supplies, as far as may be practicable, from the established depots of stores, and will make purchases thereof in the military department within which the army operates only when circumstances render that course absolutely necessary. He will then, whether acting in person or through subordinates, confer if possible with the principal purchasing officer of the district within which he may be, and use every precaution to avoid competition.

6. Forage and fuel purchased in the vicinity of an army are excepted from the above restriction. These can be best provided on the spot, to the extent that the country affords them, and by the field quartermaster; and the chief quartermaster will be careful to see that the same are procured and paid for in accordance with the instructions issued by the War Department. Forage should always be drawn, when circumstances permit, from regions in advance of our armies and those most exposed to the enemy. Field quartermasters may also purchase, under the direction of the commanding officer, supplies of any character issued by this department from a region of country occupied temporarily by the forces of the Confederate States and where no system of purchase is in operation.

7. When special agents shall be sent out by the Quartermaster-General to obtain supplies, they will be instructed to report to the principal officer of any district into which they may go, and confer with him, to avoid competition.

8. All officers of this department will endeavor to avoid competing in prices with commissaries in the purchase of corn, or with ordnance officers in the purchase of hides, leather, harness, &c. They will report also to this office all cases of unnecessary competition brought about by the action of any officer or agent of either of the bureaus referred to.

9. No officer of this department will send an agent to a foreign country, nor will they visit or send to a sea-port town of this Confederacy to buy supplies imported from abroad. The latter purchases will be made, always, by the post quartermasters on instructions received from this office, or from the principal purchasing officer of the district. When such supplies are removed for speculation, after being rejected by the post quartermaster on account of price, they will not be purchased elsewhere.

10. No purchasing officer will ever go into another district to buy supplies, but will procure the same, when it may be necessary, through the local officers therein.

11. Any officer of this department who holds an executory contract for army supplies in another purchasing district than that in which he is stationed shall transfer the same, upon the receipt of this circular, to the principal purchasing officer of the district where such contract is to be executed. Field quartermasters, regardless of their

location, will make a similar transfer of all contracts, except such as come within section No. 6 of these instructions.

12. The foregoing rules will not be taken to interfere with the operations of Maj. F. W. Dillard, as heretofore charged with the receipt of hides from the Commissary Department and the manufacture of shoes therefrom. He will continue to have the exclusive control thereof in the States of Tennessee, Georgia, Alabama, and South Carolina, and all quartermasters within those States will dispose of hides received from commissaries as he may direct. Nor will they interfere with those of Maj. Charles S. Carrington, who will act independently as heretofore in providing forage for the armies of Virginia and North Carolina.

13. Purchasing officers will employ agents only under authorities, general or special, derived from this office. The authorities heretofore given must be renewed immediately, and in submitting applications for the retention of old agents, their names, the date of the authority under which they were employed, and the rate of their compensation will be stated. When authority is asked and granted to employ new agents whose names have not been furnished in advance, a report thereof shall be made promptly, stating who are so engaged and at what compensation. In every case such facts will be set forth as go to show the necessity for the proposed services, and the application will be forwarded through the principal officer of the district for his approval or remark. All officers will furnish their agents with written evidence of the agency, showing the object and extent thereof, and when such agency is discontinued the evidence mentioned will be taken in and the fact reported to this office. Every officer will be careful to settle up the transactions of his own agents.

The observance of the foregoing is important in restraining abuses, decreasing the number of employés from civil life, and leading to the detection of imposters speculating in the name of the Government.

14. All quartermasters will be held to strict accountability for any departure from these instructions, and department commanders and other subordinate officers are prohibited from employing field quartermasters or agents in making purchases in violation of the same.

EMPLOYÉS OF QUARTERMASTERS AND THEIR COMPENSATION.

To limit the number of employés in this department and their compensation, all officers thereof will be careful to conform to the following rules:

To troops in the field the allowance shall be:

1. To each regimental or battalion quartermaster, in addition to the quartermaster-sergeant, one wagon-master and, when the same shall be necessary, one clerk, both to be detailed from the command.

2. To each brigade quartermaster or quartermaster attached to a division, one wagon-master and, when the same shall be necessary, one clerk, both to be detailed from the command.

3. To all commissary, ordnance, and quartermasters' trains, one wagon-master for every ten teams, either hired or detailed, and if hired, wages not to exceed $50 a month. When these trains exceed in number fifty teams, a superintending wagon-master for the whole will be allowed, at a compensation not exceeding $75 a month.

Stations and depots:

4. The number of employés at stations and depots will be regulated specially by this office with reference to the necessities of each case.

Officers thereat will apply in all cases to the Quartermaster-General for authority to retain old employés or engage new ones. These applications will be made in accordance with the provisions of preceding section No. 12, in respect to the employment of agents by purchasing officers, and when forwarded by officers in the field will come through the chief quartermaster of the army to which they are attached.

5. No quartermaster serving with troops, or at a depot in the field, will be allowed to employ agents, and all authorities heretofore granted are revoked.

6. No application should embrace the name of a civilian as clerk, unless he was employed by a quartermaster, under the sanction of this office, prior to the act of Congress of February 16, 1862. In no case will the compensation of a clerk from civil life exceed the sum of $1,000 per annum.

7. All reports called for by this circular shall be distinct from the monthly returns of persons and articles hired.

A. C. MYERS,
Quartermaster-General.

Approved.

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, March 24, 1863.

Brigadier-General PILLOW,
Huntsville, Ala.:

The Department for the third time instructs you that all interference by you in the matter of conscription is without authority. The establishment by you of bureaus of conscription, the withdrawal of conscripts without a report to and allowance from the commanders of conscripts in the appropriate district, the interference with the decisions of enrolling officers, surgeons, boards, or decisions of the commanders of conscripts are contrary to the orders of this Department.

Telegrams have been sent to General Bragg on this subject, and a letter to General Johnston fully explaining the views of the Department on this subject, in addition to the communications to you, in the opinion of the Department, are enough to define the limits of your action. It hopes that it may not be required to do more in this matter after this time.

By order of the Secretary of War:

J. A. CAMPBELL,
Assistant Secretary of War.

CIRCULAR ORDER.

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, March 24, 1863.

The attention of officers having charge of conscripts is directed to section 2 of the act of Congress approved October 2, 1862, which is as follows:

SEC. 2. That if any person who has been or is about to be enrolled for service in the Army shall, at any time before being assigned to any company, declare to the enrolling or commanding officer that he prefers being enrolled for service in the Navy or the Marine Corps, it shall be the duty of the said officer to enroll such person for the service which he may prefer, and to transmit to the Secretary of the Navy a list of the persons so enrolled.

The superintendent directs that this provision of the law be observed, and that reports be made accordingly.

Whenever any officer of the Navy designated by the Navy Department shall present himself for the purpose, any officer in charge of conscripts will cause them to be mustered in presence of such officer of the Navy, in order that they may be offered the alternative of entering the naval service.

By order of Brig. Gen. G. J. Rains, superintendent:

A. C. JONES,
Lieutenant-Colonel and Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, March 25, 1863.

Col. WILLIAM M. WADLEY,
In Charge of Railroad Transportation, Augusta, Ga.:

SIR: The dilatory and irregular transportation on the railroads is really matter of suspense as well as serious anxiety to me. It is essential that transportation of supplies, especially of meat for the armies in Virginia, should be more rapid and regular. I learn with astonishment from the Commissary-General that though since the 1st of January he has been urging the transportation of meat from his reserves at Atlanta to this city, he has not yet received in all more than some 400,000 pounds. Surely there must have been some gross inattention on the part of either the railroads in giving preference to Government freight or on the quatermasters in carrying the meat to the trains. Will you at once institute inquiries and correct the delays on this route? Some general plan, however, it seems to me, is necessary to counteract the increasing delays and irregularities, and I would suggest that you arrange with the roads on all the leading lines schedules of continuous freight trains to run with like regularity and connection as the passenger trains. I had supposed this course had long been pursued, as it seems to me manifestly required to give full efficiency to the railroad facilities as well as to their own interest, but learn that, owing to the jealousies and conveniences of special roads, it has never been practiced. The least calculation will show that if the railroads will in good faith give preference to Government freight and will steadily and continually run their freight trains by through schedule more than all the supplies needed for the Government can be transported on the leading lines. Harmony, co-operation, and reasonable energy on their part only are required, and I trust you will at once lend all your energy and address to the accomplishment of a good understanding and the running of through lines on schedules to be arranged by yourself. It would be difficult for the roads to agree on such schedules, but they might, I think, be shown the necessity of the matter to the Government as well as their own interest as to come into schedules arranged by you. Do give your earnest attention to this or some other effective mode of enforcing transportation at once.

Very truly, yours,

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., March 25, 1863.

His Excellency Z. B. VANCE,
Governor of North Carolina, Raleigh, N. C.:

SIR: Your letter* to Colonel August of the 20th instant has been referred to this Bureau, and I regret that circumstances have arisen impairing that harmony necessary for a proper execution of the law of conscription. So far from opposition, we have calculated on your assistance in this matter, and I had already written to the commandant of conscripts for North Carolina "that whenever the wishes of His Excellency the Governor can be accorded with without clear infraction of law it is desirable to do so." The law exempts judicial and executive officers of State governments, except those liable to militia duty. This, you will readily perceive, must be the rule of guidance for the agents of this Bureau, and there are no means short of supernatural power for them to know outside of the law of such employés Your Excellency wishes to be exempted. Hence, forbearance is respectfully asked until reference can be had with this Bureau, with which you are cordially invited to correspond, believing that between us of the same State no difference can occur in such matters, the legality of which is left to your judgment. Colonel Mallett has been ordered to relieve Colonel August in his duties as commandant of conscripts in North Carolina.

I am, sir, very respectfully, your obedient servant,

G. J. RAINS,
Brigadier-General and Superintendent.

[MARCH 25, 1863.—For Vance to Seddon, reporting enrollment and arrest of conscripts in Western North Carolina, by General Pillow, without authority of law, see Series II, Vol. V, p. 857.]

GENERAL ORDERS, No. 33. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, March 26, 1863.

I. The corps of officers for ordnance duty will hereafter be composed exclusively as follows, viz:

1. Officers of the Regular Confederate Army, detailed by the War Department for ordnance duty.

2. Officers of the provisional artillery, appointed under the act of Congress April 21, 1862.

3. Officers of the provisional artillery for ordnance duty, appointed under act of 16th September, 1862 (including at present those on duty under General Orders, No. 12, 1863).

4. Officers of artillery in the Provisional Army and volunteer corps, appointed under act of Congress approved January 22, 1862, and detailed on ordnance duty by the War Department.

5. Officers of the Niter and Mining Bureau, appointed under act of Congress.

II. Officers heretofore assigned to ordnance duty, under provisions of General Orders, No. 24 and No. 46, of 1862, although not forming

*Not found.

a part of the ordnance corps, will continue to be recognized in their positions until relieved by the assignment of officers of the ordnance corps regularly appointed or detailed. Officers of this class will be replaced by the regularly appointed officers assigned for ordnance duty, at the discretion of any general commanding an army or department, when the interest of the service requires it.

All such changes will be communicated to the Chief of Ordnance at Richmond.

III. All officers in charge of arsenals, armories, workshops, depots, or other posts where work is performed by detailed men who are paid by the department in which they are employed, and who relinquish claim for pay as soldiers, shall make monthly reports to the chiefs of their respective bureaus, containing full lists and descriptions of the men, with a correct statement of the pay they receive. These reports will be forwarded to the Quartermaster-General for the information and guidance of the Pay Department, to prevent the payment of fraudulent claims.

IV. All generals or other officers commanding military departments or districts will require from provost-marshals and commandants of prisons monthly reports of all citizens and other persons not connected with the Confederate Army held in confinement, with specifications of date and cause of arrest, and by whom arrested, accompanied with such remarks as they may deem proper, and forward the same without delay to this office.

V. Paragraph VI, General Orders, No. 31, current series, is so far amended as to read as follows:

Claims arising under paragraph IV will be settled by the Second Auditor; those under paragraph V by officers of the Quartermaster's Department. In the latter class the facts must be attested by the certificate of the commanding officer of the regiment to which the claimant belonged at the date of his promotion.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, TREASURY DEPT.,
Richmond, March 26, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: Inclosed I hand you a copy of a letter from Mr. F. H. Hatch, collector of New Orleans, now at Tangipahoa, in relation to the procurement of supplies, and respectfully request your co-operation in the measures proposed by him.

Respectfully,

C. G. MEMMINGER,
Secretary of the Treasury.

[Inclosure.]

COLLECTOR'S OFFICE, STATE OF MISSISSIPPI,
Tangipahoa, March 17, 1863.

Hon. C. G. MEMMINGER,
Secretary of the Treasury, Richmond, Va.:

SIR: I have the honor to report that notwithstanding the duties assigned to me in this department, and the discretion given me in relation to trade, that for some time past the military authorities

have seized indiscriminately all merchandise brought into this district and proceeded to dispose of it without particular reference to the law or the claims of the Treasury Department. The consequence has been difficulties and embarrassments that only work to the public injury without any corresponding good. Goods thus seized and often inadequately protected are lost or depreciated, and a case of violation of law being proven the claimant applies to the court, bonds his goods, and thus the matter ends, with much bad feeling, the duties lost, and nobody benefited.

This section of the country is in extreme want of articles of first necessity. On the lake shore corn is worth from $10 to $15 per bushel, sweet potatoes about the same, and other things in proportion. These exorbitant prices of course stimulate that questionable class of traders that always flock to the confines of warring nations, who, I think, should be regulated accordingly as they may be useful in supplying the extreme wants of our Army and people, especially in cases where the courts are inaccessible and the proof of violation of law is doubtful and not likely to be made out.

In other words, while I would not sanction or encourage trade with the enemy by an exchange of commodities, I would endeavor to regulate these matters in a time of war rather by a policy which would work to the benefit of our cause and to the injury of the enemy than by a rigid application of the law. Now the enemy has clearly indicated his starvation policy by refusing to allow the smallest amount of supplies to come out of his lines, and inducing the shipment of the largest amount of cotton and other produce to his. I would meet this by a corresponding policy within the limits of the law.

Should this view meet with your approbation the interests of your Department could be protected and some good accomplished if the Honorable Secretary of War would issue instructions to the commanding general of this department that all merchandise seized should be turned over to this department, and such aid and support be given as I might require in the proper discharge of my duties.

This order is necessary to accomplish the first object, and I respectfully submit it for your consideration.

I have the honor to be, very respectfully, your obedient servant,

F. H. HATCH,
Collector.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., March 26, 1863.

His Excellency Z. B. VANCE,
Governor of North Carolina:

SIR: The application recently made by General Edney, of your State, sustained by your indorsement, asking that effective measures be taken to repress and disperse the bands of marauding deserters and refugees represented to be collecting in the mountains of your western counties, has been submitted to the President and received the attentive consideration of the Department. It is not deemed judicious to assent to the suggestion of the petition presented by General Edney that the conscript law be suspended in the counties west of the Blue Ridge in your State and that local organizations of the militia or State forces be formed to operate against these marauding bands. In addition to the objection that the conscripts of the districts where safely available might thus be withdrawn from the calls of the public service, where they are now so needed, it is feared that the use of

these men exclusively or mainly against the marauding and disaffected classes of their vicinity might engender the worst sort of civil strife and lead to inextinguishable feuds and mutual reprisals, to the grievous affliction and waste of the whole region. It has been thought a wiser course to order General Donelson, in whose command the district lies, to send an efficient officer with an adequate command to search through the mountains [in] disaffected localities, capture or disperse all outlying bands, and, seeking the aid of the enrolling officer of the district, to conscribe and send to the remote armies all of conscript ages believed to be dangerous or disloyal. At the same time, partly to co-operate with him, but mainly afterward to report similar manifestations and preserve order, it is suggested that all the loyal citizens not liable to conscription should be organized into corps "for local defense and special service," to remain quietly at their homes when no danger existed, but to be liable to be called into service whenever occasion demanded. These, if promptly formed, might act at once with General Donelson's command, but in any event it is hoped may be constituted in time effectually to keep down any further uprisings or collections of marauders. Should they prove inefficient or inadequate for such purpose, conscripts collected from the loyal portion of the neighboring people will be detailed to join and act under such organizations so long as their services may be necessary. In this mode the conscripts will be retained at command, nor will they be formed into separate organizations, from which, when once formed of conscripts, experience has shown they cannot be withdrawn without difficulty and seeming injustice, especially to the officers. Sincere solicitude is felt by the Department for the relief of the district referred to, and it has dictated the measures suggested. It is hoped they will prove effectual and at the same time meet the sanction and co-operation of Your Excellency.

With high esteem, very truly, yours,

JAMES A. SEDDON,
Secretary of War.

[MARCH 27, 1863.—For Lubbock to Davis, in relation to the transfer of the Texas frontier regiment to the Confederate service, see Series I, Vol, LIII, p. 852.]

EXECUTIVE DEPARTMENT,
Montgomery, Ala., March 28, 1863.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond:

SIR: I herewith hand you copy of a letter written by direction of the executive committee of [the Committee of] Safety of Mobile to me in relation to the conversion of our bay and river steam-boats into steamers for running the blockade to Cuba. I also inclose copy of a letter addressed by me this day to Maj. Gen. S. B. Buckner, to both of which I beg to call your early attention. I will not enlarge upon the subject. It is one of importance, and the letter of P. Hamilton, esq., presents the objections to the policy in an unanswerable view.

Hoping to hear from you soon, I have the honor to be, respectfully, your obedient servant,

JNO. GILL SHORTER,
Governor of Alabama.

[Inclosure No. 1.]

COMMITTEE OF SAFETY,
Mobile, March 25, 1863.

His Excellency JOHN GILL SHORTER:

SIR: The committee have instructed me to call your attention to the fact that no less than six of our river or bay steam-boats are at this moment fitting out to run the blockade and carry cotton to Cuba. The committee are deeply impressed with the conviction that it would be unwise and dangerous to permit these vessels to go out. They form an important part of the tonnage of this port and of these rivers; if lost, or they do not return, their places cannot be supplied. You know that our boats are running out. Several of them have been lost or greatly injured this winter. We cannot build new engines and boilers, if we could build hulls, which last may possibly be done. These boats would furnish relief in case of accident or seizure of the line of railroad to Montgomery. They may be needed for the transportation of troops or provisions up and down the river. Their machinery may be needed for gun-boats or other vessels of defense. They may be needed to tow floating batteries into position and for many other such purposes. Again, being of light draft and built for these waters, if captured they would form no small beginning of a fleet of transports, such as would greatly aid the enemy in transporting troops and munitions of war along the coast and in the bays and bayous about the entrance of this bay. Again, the committee are decidedly of the opinion that it is bad policy to permit the exportation of cotton in this way and at this time. If foreign vessels can be tempted into the trade it may answer some good purposes, but we do not approve of it in this form. A good deal can be said pro and con in relation to the export of cotton at all. We respectfully call your attention to this subject and trust you will lend your aid to put a stop to these enterprises. We have not stopped to consider whether you have the power forcibly to interfere, but we know that your remonstrances with General Buckner and at Richmond will have their influence. We can but think that this matter will strike you in the same light it does us, and we venture to suggest that you will at once let your sentiments be known to those having authority in the premises. We to-day present our remonstrances to General Buckner on this subject and hope your influence will soon follow to sustain us.

Very respectfully,

P. HAMILTON,
Chairman Executive Committee.

[Inclosure No. 2.]

EXECUTIVE DEPARTMENT,
Montgomery, Ala., March 28, 1863.

Maj. Gen. S. B. BUCKNER,
Mobile:

SIR: I am in receipt of a letter from P. Hamilton, esq., chairman of the executive committee of the Committee of Safety for Mobile, in which he says that "No less than six of our river or bay steam-boats are at this moment fitting out to run the blockade and carry cotton to Cuba," and he officially advises me that "the committee are deeply impressed with the conviction that it would be unwise and dangerous to permit these vessels to go out." The Committee of Safety are of opinion that we have no greater number of steam-boats in our waters

than are or may be needed for general or special transportation, and if parties are allowed to withdraw them from their present service, and engage them in running the blockade, there is great danger that more or less of them will be lost or captured. In this opinion I fully concur, and take this occasion to enter my official protest against the policy of permitting the limited number of steam-boats in our possession to be reduced for this purpose. The propriety of exporting cotton and the conditions on which it should be tolerated or encouraged, are questions for the decision of the Confederate authorities, and I presume their views have been communicated to the military commanders at our sea-ports. These questions, affecting as they do the general interests of the whole country, may be properly left to the control of the Confederate authorities at Richmond. We may also safely leave with them the various questions of the blockade, but the particular grievance herein brought to your attention is local in its character, and immediately concerns the interests of your command and of the State of Alabama. I hope, therefore, you will pardon me for invoking the military power under your control to prevent the departure of these steam-boats from Mobile, at least till the propriety of the act can be examined into and decided upon by the War Department at Richmond.

Respectfully, your obedient servant,

JNO. GILL SHORTER,
Governor of Alabama.

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, Va., March 30, 1863.

The War Department has seen reason to remind all officers engaged in recruiting and conscription that the execution of the conscript act is a matter of responsibility and delicacy and the rights conferred by the acts of exemption important in a personal and public view, and that summary proceedings, in the spirit and style of the press gang, are in every way subversive of the true interests of recruiting as well as offensive to law and humanity.

This Bureau has always inculcated these principles, and although there appear to have been some, yet the superintendent trusts there are very few of the officers acting under the Bureau who have ever made themselves liable to this admonition, other agencies having been at work, and having often overstepped their proper limits.

Commandants of conscripts will make it a point to see that each and every enrolling officer understands that he is not serving his country by hasty action, practically nullifying the right of appeal from his decision. Men who present plausible grounds of exemption, as being foreigners, or over age, or claiming an examination by a full medical board where they allege that a single medical officer has erroneously held them to be physically capable of service, must not be assigned or dragged to the Army till their cases have had a fair hearing.

On questions of domicile or age the party is entitled to the benefit of his own affidavit if not rebutted by evidence or violent presumption to the contrary, but in the final decision of the cases of foreigners there must be cumulative testimony of facts, or neighbors to support the affidavit.

By order of the superintendent:

A. C. JONES,
Lieutenant-Colonel and Assistant Adjutant-General.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, N. C., March 31, 1863.

His Excellency President DAVIS:

SIR: I have this day addressed a letter to General Rains,* chief of Bureau of Conscription, in regard to the enrolling of certain State officers, but as the case is urgent and may assume important proportions, I have thought it best to address you directly and beg your attention thereon at as early a moment as your heavy duties may permit. The extreme rigor (and I am proud to be able to add good faith) with which the conscript law has been executed in North Carolina has stripped it so bare of its laboring and official population as to render its further operation a matter of anxiety in various respects. In addition to sweeping off a large class whose labor was, I fear, absolutely necessary to the existence of the women and children left behind, the hand of conscription has at length laid hold upon a class of officials without whose aid the order and well-being of society could not be preserved nor the execution of the laws enforced, and whose conscription is as insulting to the dignity as it is certainly violative of the rights and sovereignty of the State. Having heretofore exerted the utmost powers with which I am intrusted, and even exceeded them, according to a recent decision of the chief justice of the State, in the execution of this law, at this point I deem it my duty not only to pause, but to protest against its enforcement. In my letter to General Rains I assumed the position that the Confederate authorities should not conscribe any officers or agents of the State whose services were necessary to the due administration of her government, and that the State authorities (not the Confederate) must judge of this necessity. In this class I should certainly place justices of the peace, constables, and the police organizations of our towns and cities. There being no attempt made to enroll the officers of the militia, I shall not urge as to them, though I understand the right is claimed under the law to conscribe them. The exemption bill of October 11, 1862, provides that the executive and judicial officers of the State be exempted, except such as may by State laws be subject to militia duty. This would render every able-bodied man in the State liable to conscription, as our laws expressly provide that in case of invasion or insurrection no person shall be exempt whomsoever. If this construction prevails you will perceive that it is in the power of the War Department to abolish the State government by a very simple process; but, taking it for granted that such construction is not intended, I beg leave to say that the present proceedings of the Bureau go very far toward it. I need not inform you of the character and duties of the magistracy. You can but be aware of their importance. I will only say in brief that, in addition to their being conservators of the peace generally, they constitute our courts of pleas and quarter sessions and have jurisdiction over a far more extensive, and in many respects more important, range of subjects than the superior courts; in fact, the superior courts cannot be held without them. They levy more than half the taxes of the State, assess all the property for taxation, provide for the poor (now a doubly important function), and in many cases the law requires a certain number to be present to render their proceedings valid. The constable is the sheriff of the magistrate's court, and as absolutely necessary to the community as the sheriff himself, since our sheriff can be compelled to execute no process except those addressed to him by a court of record.

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* Next, *post*.

It is no answer to all this to say that we have more justices than are actually necessary, and that some might be dispensed with. The Legislature of the sovereign State of North Carolina recommended their appointment to the Executive according to the forms of the constitution, and it is to be presumed they deemed them all necessary, and no one has the right to say otherwise. The municipal officers present, if possible, a still stronger case. The mayor and police of this city have been enrolled and ordered into camp, which, of course, abolishes the government of the corporation at once and turns over the inhabitants to a state of lawlessness and anarchy. With the magistracy, the militia, and the municipal officers of our incorporated towns, constables, and such like officers of the State, swept into a camp of instruction, I am at a loss to know what would be left of the power or sovereignty of this State or any other. So obvious is the great damage and disparagement which this latitudinous construction of the law could work against the States that I cannot believe its framers so intended it, and with all due respect I doubt the wisdom and the policy of the War Department in urging it so far. Having made no question of its constitutionality and interposed no obstacle to its faithful execution, but on the contrary acquiesced in it as a great measure of necessity and assisted with zeal in its enforcement, I am content now to state my opinion simply upon a fair construction of its terms, and I am quite confident that your sense of justice will not fail to perceive the weighty reasons of comity, policy, and respect for States' rights, the great elementary doctrine of our revolution, which admonish you of the impropriety of alarming the jealousy of the States, exciting the murmurs of the people, and crippling the security of the government by seizing a few officers who could do little toward increasing the ranks or officering of the Army, but who as a part of the government are deemed necessary at home.

Soliciting again your earliest convenient answer, and begging you to accept assurances of my highest consideration and esteem,

I am, sir, very truly, your obedient servant,

Z. B. VANCE.

STATE OF NORTH CAROLINA, EXECUTIVE DEPT.,
Raleigh, N. C., March 31, 1863.

Brig. Gen. G. J. RAINS,
Bureau of Conscription, Richmond, Va.:

GENERAL: Your letter of the 25th instant is to hand asking my forbearance in reference to the conscription of certain officers and inviting my correspondence in reference thereto. I avail myself of that invitation to make myself understood in the matter. You say that you have calculated on my assistance, instead of opposition, in this matter. You may so calculate with perfect confidence. The fact that the conscript law has been more faithfully executed in North Carolina than any other State in the Confederacy, and that no other Southern Executive (so far as I am aware) has used the whole power of the State militia to execute it, might be taken as an earnest of my intention to sustain the Government so far as it may be rightfully done. But I cannot go beyond this. Though heretofore I have not belonged to that class of politicians who made the "night (and day) hideous" with cries for States' rights and was rather accused of consolidationism, yet I am not quite willing to see the State of North Carolina in effect

blotted from the map and her government abolished by the conscription of her officers. The clause of the law quoted by you can easily be made to effect that, for the militia law of the State expressly provides that in "case of invasion or insurrection nobody shall be exempted from duty." Of course, then, everybody is liable to conscription. The Governor, as commander-in-chief, and all officers of the militia are, of course, liable to militia duty, and therefore to conscription also. You are already enrolling the magistrates who compose our courts of pleas and quarter sessions, lay our taxes, assess property for taxation, provide for the poor, and preserve the peace generally, and with them their executive officers, the constables; also, the police officers of our cities and corporations. Now, sir, after these and the militia officers have been taken by the Confederacy will you please to inform me what remains of the boasted sovereignty of the States? Do not reply by saying that you have not enrolled the militia officers; you claim the right to do it, and may undertake it at any time. God forbid that the rights, honor, and the existence itself of the States should rest only upon the grace and mercy of a bureau of conscription. The rights of the States certainly rest upon a more solid basis than this. You also say that there are no means short of supernatural power by which you can know of the officers and employés of the State, to which my letter to Colonel August referred, outside of the law. That may be; in fact, I do not know that it is required of you to know what officers are necessary to the ordinary operations of the State government; but it is certainly the business of the chief magistrate of the State to know, and it is especially his duty under the constitution to see that they are not interfered with in the discharge of their appropriate functions. I cannot, therefore, recede from the position before assumed, that it is my duty to resist the conscription of all State officers and agents whose services are necessary to the proper and due administration of the affairs of this State, and of which necessity her authorities must, of course, be the judge. Neither can this claim, plain and obvious as it is, be permitted to rest upon the grace of Congress as exemplified in the exemption bill, or the discretion and good will of those intrusted with the execution of the law, but upon those higher and inalienable rights which by the genius of our Government are deemed inherent in and inseparable from the sovereign character of the State. If it is the intention of the Confederate authorities to carry the execution of the law of conscription beyond this, I should be glad to be so informed at as early a day as possible. This city is to be stripped of its police officers to-morrow, and the magistrates of many of the counties are already ordered into camp, and I desire the question settled.

Assuring you of my desire that harmony may continue to exist as heretofore, and of my great desire to assist in attaining our independence by every possible means in the power of the State of North Carolina consistent with the preservation of liberty itself,

I am, general, very sincerely and respectfully, yours,

Z. B. VANCE.

GENERAL ORDERS, No. 34. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, April 1, 1863.*

I. The attention of commanding and other officers is called to the act of Congress of April 21, 1862, as published in General Orders,

No. 38, of that year. A more rigid enforcement of the requirements of that act on the part of commanding officers therein referred to is deemed important to the interest of the service.

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III. The price of beef hides, transferred in accordance with paragraph III, General Orders, No. 64, of 1862, will be at the following rates: For green hides, 5 cents per pound, and dry hides, 10 cents per pound in the Trans-Mississippi Department; and for all beef hides east of the Mississippi River, 30 cents per pound. These prices will be paid by the quartermasters and assistant quartermasters to the commissaries transferring them, and the latter will account for the fund thus received in their next accounts current.

IV. By General Orders, No. 61, paragraph II, last series, from this office, quartermasters are directed to bear on their returns ambulances and wagons for the transportation of regimental hospital supplies, the teams, and drivers. It is also their duty to keep them in good condition and ready for active service. Commanders will require the performance of this duty.

By order:

S. COOPER,
Adjutant and Inspector General.

CIRCULAR.] SURGEON-GENERAL'S OFFICE,
Richmond, Va., April 1, 1863.

Medical directors will direct medical officers to make persevering and well-regulated efforts to have collected for the use of the sick in the field affected or threatened with scurvy daily supplies of the within-enumerated or other native edible plants and herbs growing in the vicinity of camp, viz: Wild mustard, water cresses, wild garlic or onion, sassafras, lamb's-quarters, sorrel, shoots of the pokeweed (bleached preferred), artichoke, plume of the dandelion (bleached), garden parsley, peppergrass, wild yam. Company commanders should also be urged for the prevention of scurvy to procure in like manner by detail from their companies supplies of the same for the use of their companies. Those charged with collecting should be impressed with the vital importance of exercising a careful discretion in the recognition of the different articles to be collected. As an additional security in doubtful cases, inspection by a medical officer is recommended. He should also give instructions concerning the methods of preparing and using each article as best calculated to secure good effect. Medical officers in charge of hospitals will be instructed to furnish the sick with as liberal an allowance of succulent vegetables as their condition and the state of the hospital fund will allow.

SAMUEL PRESTON MOORE,
Surgeon-General.

[APRIL 1, 1863.—For authority granted to Col. Stand Watie to raise a brigade in the Cherokee Nation, see Series I, Vol. XXII, Part II, p. 810.]

AN ACT to alter and amend an act entitled "An act for the sequestration of the estates, property, and effects of alien enemies and for indemnity of citizens of the Confederate States, and persons aiding the same in the existing war with the United States," approved August 30, 1861, and an act altering and amending the same, approved on the 15th day of February, 1862.

The Congress of the Confederate States of America do enact, That any district court of the Confederate States may, in its discretion, direct any of its receivers to lease out any sequestered land within his district on which are any mines or beds of copper, lead, iron, coal, saltpeter or other minerals, for a period not exceeding three years, and in such manner, and upon such terms as the court may prescribe, and such orders may be made, either by the court, or by the judge thereof, in vacation.

Approved April 2, 1863.

JOINT RESOLUTION relating to the production of provisions.

Whereas, a strong impression prevails through the country that the war now being waged against the people of the Confederate States may terminate during the present year; and whereas, this impression is leading many patriotic citizens to engage largely in the production of cotton and tobacco, which they would not otherwise do; and whereas, in the opinion of Congress, it is of the utmost importance, not only with a view to the proper subsistence of our armies, but for the interest and welfare of all the people that the agricultural labor of the country should be employed chiefly in the production of a supply of food to meet every contingency: Therefore,

Resolved by the Congress of the Confederate States of America, That it is the deliberate judgment of Congress that the people of these States, while hoping for peace, should look to prolonged war as the only condition proffered by the enemy short of subjugation; that every preparation necessary to encounter such a war should be persisted in; and that the amplest supply of provisions for armies and people should be the first object of all agriculturalists; wherefore, it is earnestly recommended that the people, instead of planting cotton and tobacco, shall direct their agricultural labor mainly to the production of such crops as will insure a sufficiency of food for all classes and for every emergency, thereby with true patriotism subordinating the hope of gain to the certain good of the country.

SEC. 2. That the President is hereby requested to issue a proclamation to the people of these States urging upon them the necessity of guarding against the great perils of a short crop of provisions and setting forth such reasons therefor as his judgment may dictate.

Approved April 4, 1863.

[APRIL 4, 1863.—For Davis to Pettus, suggesting the discharge of certain Mississippi militia to enable them to plant crops, see Series I, Vol. LII, Part II, p. 453.]

GENERAL ORDERS, No. 36. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, April 6, 1863.*

The superintendent of the Niter and Mining Bureau is authorized to pay, from the appropriation for the purchase and manufacture of

niter, the actual traveling expenses of officers of the niter corps on duty, under orders, in lieu of any commutation for the time of rations and forage.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 37. } *Richmond, April 6, 1863.*

I. The following act of Congress, concerning "impressments," and the instructions of the War Department respecting it, are published for the information and direction of all concerned:

AN ACT to regulate impressments.

The Congress of the Confederate States of America do enact, That whenever the exigencies of any army in the field are such as to make impressments of forage, articles of subsistence, or other property absolutely necessary, then such impressments may be made by the officer or officers whose duty it is to furnish such forage, articles of subsistence, or other property for such army. In cases where the owner of such property and the impressing officer cannot agree upon the value thereof, it shall be the duty of such impressing officer, upon an affidavit in writing of the owner of such property, or his agent, that such property was grown, raised, or produced by said owner, or is held or has been purchased by him, not for sale or speculation, but for his own use or consumption, to cause the same to be ascertained and determined by the judgment of two loyal and disinterested citizens of the city, county, or parish in which such impressments may be made, one to be selected by the owner, one by the impressing officer, and in the event of their disagreement these two shall choose an umpire of like qualifications, whose decision shall be final. The persons thus selected, after taking an oath to appraise the property impressed fairly and impartially (which oath, as well as the affidavit provided for in this section, the impressing officer is hereby authorized to administer and certify), shall proceed to assess just compensation for the property so impressed, whether the absolute ownership, or the temporary use thereof, only is required.

SEC. 2. That the officer or person impressing property, as aforesaid, shall, at the time of said taking, pay to the owner, his agent or attorney the compensation fixed by said appraisers; and shall also give to the owner, or person controlling said property, a certificate, over his official signature, specifying the battalion, regiment, brigade, division, or corps to which he belongs; that said property is essential for the use of the Army, could not be otherwise procured, and was taken through absolute necessity, setting forth the time and place, when and where taken, the amount of compensation fixed by said appraisers, and the sum, if any, paid for the same. Said certificate shall be evidence for the owner, as well of the taking of said property for the public use, as the right of the owner to the amount of compensation fixed as aforesaid. And in case said officer or person taking said property shall have failed to pay the owner or his agent, said compensation as hereinbefore required, then said owner shall be entitled to the speedy payment of the same by the proper disbursing officer; which, when so paid, shall be in full satisfaction of all claim against the Government of the Confederate States.

SEC. 3. Whenever the appraisement provided for in the first section of this act shall, for any reason, be impracticable at the time of said impressment, then and in that case the value of the property impressed shall be assessed as soon as possible by two loyal and disinterested citizens of the city, county, or parish wherein the property was taken, chosen as follows: One by the owner and one by the Commissary or Quartermaster General, or his agent, who, in case of disagreement, shall choose a third citizen of like qualifications as an umpire to decide the matters in dispute, who shall be sworn as aforesaid, who shall hear the proofs adduced by the parties as to the value of said property, and assess a just compensation therefor, according to the testimony.

SEC. 4. That whenever the Secretary of War shall be of opinion that it is necessary to take private property for public use, by reason of the impracticability of procuring the same by purchase, so as to accumulate necessary supplies for

the Army, or the good of the service, in any locality, he may, by general order, through the proper subordinate officers, authorize such property to be taken for the public use; the compensation due the owner for the same to be determined, and the value fixed as provided for in the first and second sections of this act.

SEC. 5. That it shall be the duty of the President, as early as practicable after the passage of this act, to appoint a commissioner in each State where property shall be taken for the public use, and request the Governor of such of the States in which the President shall appoint said commissioner, to appoint another commissioner, to act in conjunction with the commissioner appointed by the President, who shall receive the compensation of eight dollars per day, and ten cents per mile as mileage, to be paid by the Confederate Government. Said commissioners shall constitute a board, whose duty it shall be to fix upon the prices to be paid by the Government, for all property impressed or taken for the public use as aforesaid, so as to afford just compensation to the owners thereof. Said commissioners shall agree upon and publish a schedule of prices every two months, or oftener if they shall deem it proper; and in the event they shall not be able to agree in any matter confided to them in this act, they shall have power to appoint an umpire to decide the matter in dispute, whose decision shall be the decision of the board; and said umpire shall receive the same rate of compensation for the time he shall serve allowed to said commissioners respectively: *Provided*, That said commissioners shall be residents of the State for which they shall be appointed; and if the Governor of any State shall refuse or neglect to appoint said commissioner within ten days after a request to do so by the President, then the President shall appoint both commissioners, by and with the advice and consent of the Senate.

SEC. 6. That all property impressed or taken for the public use, as aforesaid, in the hands of any person other than the persons who have raised, grown or produced the same, or persons holding the same for their own use or consumption, and who shall make the affidavit as hereinbefore required, shall be paid for according to the schedule of prices fixed by the commissioners as aforesaid. But if the officer impressing or taking for the public use such property, and the owner shall differ as to the quality of the article or property impressed or taken, as aforesaid, thereby making it fall within a higher or lower price named in the schedule, then the owner or agent, and the officer impressing or taking, as aforesaid, may select each a loyal and disinterested citizen, of the qualifications as aforesaid, to determine the quality of said article or property, who shall, in case of disagreement, appoint an umpire of like qualifications, and his decision, if approved by the officer impressing, shall be final; but if not approved, the impressing officer shall send the award to the commissioners of the State where the property is impressed, with his reasons for disapproving the same, and said commissioners may hear such proofs as the parties may respectively adduce, and their decision shall be final: *Provided*, That the owner may receive the price offered by the impressing officer, without prejudice to his claim to receive the higher compensation.

SEC. 7. That the property necessary for the support of the owner and his family, and to carry on his ordinary agricultural and mechanical business, to be ascertained by the appraisers, to be appointed as provided in the first section of this act, under oath, shall not be taken or impressed for the public use; and when the impressing officer and the owner cannot agree as to the quantity of property necessary, as aforesaid, then the decision of the said appraisers shall be binding on the officer and all other persons.

SEC. 8. Where property has been impressed for temporary use, and is lost or destroyed without the default of the owner, the Government of the Confederate States shall pay a just compensation therefor; to be ascertained by appraisers appointed and qualified as provided in the first section of this act. If such property when returned has, in the opinion of the owner, been injured whilst in the public use, the amount of damage thereby sustained shall be determined in the manner described in the third section of this act, the officer returning the property being authorized to act on behalf of the Government; and upon such inquiry, the certificate of the value of the property, when originally impressed, shall be received as *prima facie* evidence of the value thereof.

SEC. 9. Where slaves are impressed by the Confederate Government to labor on fortifications or other public works, the impressment shall be made by said Government according to the rules and regulations provided in the laws of the State wherein they are impressed; and in the absence of such law, in accordance with such rules and regulations not inconsistent with the provisions of this act, as the Secretary of War shall from time to time prescribe: *Provided*, That no impressment of slaves shall be made when they can be hired or procured by the consent of the owner or agent.

SEC. 10. That previous to the first day of December next, no slave laboring on a farm or plantation, exclusively devoted to the production of grain and provisions, shall be taken for the public use without the consent of the owner, except in case of urgent necessity.

SEC. 11. That any commissioned or non-commissioned officer or private who shall violate the provisions of this act shall be tried before the military court of the corps to which he is attached, on complaint made by the owner or other person, and on conviction, if an officer, he shall be cashiered and put into the ranks as a private; and if a non-commissioned officer or private, he shall suffer such punishment, not inconsistent with military law, as the court may direct.

Approved March 26, 1863.

II. 1. By the authority of the act of Congress aforesaid the Secretary of War hereby recognizes impressment as a legal and operative mode of securing necessary supplies of subsistence, medical and quartermaster's stores for the armies of the Confederate States in the field, and to accumulate them in magazines, posts, and depots, owing to the impracticability of procuring them by contract.

2. Impressments may be made under orders from generals commanding armies, departments, corps, divisions, brigades, and by commanders of detached parties and posts, when a necessity arises, which orders may be executed by quartermasters, commissaries, or medical purveyors and their subordinates, for their respective departments.

The Quartermaster-General, Commissary-General, and Surgeon-General may designate the officers and persons who shall be competent to make impressments to accumulate supplies at posts and depots.

3. No officer or agent shall impress the necessary supplies which any person may have for the consumption of himself, his family, employés, slaves, or to carry on his ordinary mechanical, manufacturing, or agricultural employments.

4. Before any impressment of property shall take place the impressing officer or his agent shall make an offer, addressed to the owner, his bailee or other agent, to purchase the property, describing the property he wishes to purchase, the price to be paid, and the mode of payment, whether in money or by certificate, and stating that upon the refusal of the price offered that compensation for the property will be made according to the act of Congress aforesaid for the regulation of impressments; which notice shall bind the said property until the completion of the negotiation for the sale or appropriation thereof, so that there can be no removal or transfer of the same.

5. In the event of the refusal of the price offered the impressing officer shall proceed to settle the compensation to be paid, according to the first section of the act aforesaid, if the property belongs to a person who has grown, raised, or produced the same, or who holds or has purchased the same for his own use or consumption, but the said property shall be paid for according to the fifth section of the act aforesaid, if the property is held for sale or other purposes than those before mentioned.

6. That the property shall remain in the possession of the owner, his bailee or agent, and at his risk, during the pendency of the proceedings for the ascertainment of the compensation, unless it shall be otherwise agreed to, or unless some urgent necessity shall require the possession of the property to be changed. In case of a change of possession the Confederate States shall be regarded as the owner, and the property shall be held for their account and risk.

7. The impressing officer shall, at the date of the impressment, pay to the owner, his agent or attorney in fact, the compensation agreed

upon, if it be practicable; but if he cannot do so, he shall give a certificate, according to the second section of the act aforesaid, which shall be paid upon presentation to the disbursing officers, who shall be designated for that purpose.

8. Impressments, which shall be made before the appointment of the commissioners designated in the fifth section of the act aforesaid, shall notwithstanding be legal, and in the cases provided for by that section a portion of the property shall be retained as samples, so that the price may be settled and compensation adjusted according to the provisions of the same.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 38. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, April 7, 1863.*

I. The following provision of an act of the Legislature of Virginia, passed March 26, 1863, is, by direction of the President, published for the information and guidance of such officers and soldiers of the C. S. Army as it concerns:

7. *Be it further enacted*, That it shall be the duty of the Governor of the Commonwealth to issue his proclamation giving notice to the qualified voters of the State in the military service of the State or of the Confederate States, or who may be absent from the county or corporation of their residence, because of the presence of the public enemy, of their right to vote for members of the General Assembly, by virtue of the provisions of the first, second, and fourth sections of the ordinance passed by the convention of Virginia (No. 99) on the sixth day of December, 1861. And also to all whom it may concern, of the passage of this act, and of the rights and duties set forth in its provisions; and it shall further be his duty to request the President of the Confederate States to issue an order to all commandants of camps, posts, and detachments in command of Virginia troops, requiring them to give their aid in the due execution of the ordinance aforesaid and of this act.

II. Cadets on attaining their majority will be examined, and if found competent will be promoted to the grade of second lieutenant in the arm of the service to which they are attached. Commanders of armies in the field are charged with the assembling of the requisite boards.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., April 7, 1863.

His Excellency JOHN G. SHORTER,
Governor of Alabama, Montgomery, Ala.:

SIR: I have received your letter in reference to the conversion of steamers at Mobile into vessels for running the blockade. In reply I have the honor to say that the Department has not contemplated seizing or employing in exporting any of the mere river steamers. The Alabama, represented as a sea-going vessel peculiarly adapted to running the blockade, it is the purpose of the Department to buy

or impress at her appraised value. Very strong considerations of military exigency demand this, and it is hoped Your Excellency will acquiesce in the measure.

In relation to the exportation of cotton generally, it does not belong to the Department to determine its policy or propriety. Congress, by its legislation, has interposed no obstacles, but impliedly sanctioned it, and, of course, when strictly military reasons do not forbid, the Department acquiesces and allows the export.. Nor can I deny or obstruct such legal use of the river steam-boats as the owners deem judicious, although inclined to concur with you in regard to the impolicy of the risk of their loss, and the importance of retaining them on the inland waters. Such interposition would, as you will readily appreciate, more appropriately proceed from Your Excellency or other State authorities.

With high regards, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

BUREAU OF CONSCRIPTION,
Richmond, April 7, 1863.

HON. JAMES A. SEDDON,
Secretary of War:
(Through the Adjutant and Inspector General.)

SIR: The letter herewith of Brigadier-General Pillow is respectfully returned to the War Department.* In so far as this paper and its indorsements indicate imperfections in the administration of the conscript law by the organizations which this Bureau was instituted to superintend, they will receive my respectful and earnest attention. It is already my purpose to send a capable officer of rank to inspect, with the aim of detecting, and, as far as possible, remedying the failures, willful or ignorant, of our very numerous subordinate agents. Daily and minute correspondence to that end has been prosecuted by this Bureau since its establishment.

It may be that a system of carrying on this business by officers selected from the armies might have been more effective. My province under my orders has been to carry on with due zeal on the one hand for the interests of the service, and due regard on the other for the rights secured by law and humanity to our citizens, a system long ago established by supreme authority; that authority and its discretion deemed proper not to draw upon the body of the Army or community for a corps of agents specially selected for individual qualification and with rank, but to intrust the business in its subordinate agencies to such material (militia officers or disabled or wounded men principally) as was most easily available without prejudice to numbers in the field. The coincidence of such availability with high qualifications was not to be expected as a matter of course, or even in a majority of cases. The evidences of general painstaking by the superior officers, as evolved in correspondence, have been satisfactory to my judgment.

The numbers that have joined as volunteers upon the call of the recruiting officers afford an indication of energy on the part of officers of conscription, for the motives in many cases are doubtless those to which the recruiting officers appeal in their handbills, viz, the

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*See Pillow to Falconer, March 19, p 442.

supposed impossibility or improbability of escaping conscription, and the superior advantages offered to the recruit by a voluntary enlistment.

The results attained by the system of enrollment and assemblage at camps of conscription cannot be fairly appreciated without weighing the immense influences of prejudice brought to bear against its operation in a country like ours, where the individual is peculiarly sensitive to public opinion; that adverse opinion unfortunately adopted by the country was originated and propagated by the Army. The recruiting officers sent out for a limited time to acquire a specified addition of numbers each for his own organization generally took the shortest path to their object, and without reflection on the future bearing of their course preached the terrors of the law and the odiousness of conscription; hence the name of conscript and the camp of conscription are hateful to many as the slave-ship or the pest-house. This Bureau has endeavored to alleviate this evil, as far as possible, by having the conscripts sent from all quarters without delay to the field, instead of gathering them in bodies, as heretofore, for some preliminary instruction.

In self-defense, lest I should be misconstrued to have opposed the Army agencies of recruiting (and I will here state in parenthesis that in cheerfully accepting and seeking to facilitate the views of the recruiting circular of January 8, 1863, from the Adjutant and Inspector General's Office), I acted in conflict with the apprehensions expressed by many, if not most, of my subordinate commandants, and lest a spirit of jealousy or exclusive control should be attributed to me I beg leave respectfully, though with regret, to point out some of the great inconsistencies of General Pillow's general professions of regard for law and order in the matter, with the facts, and with his own statements:

First. Cumulative testimony from several States has been constantly pouring into this office ever since that forwarded with my letter of March 19, 1863, to the War Department, not merely of practical disregard on a large scale of general orders by principal and subordinate officers acting under General Pillow, but of their assertion of specific orders from himself to that effect.

Second. Even at this late date General Pillow argues for his own construction of the circular of January 8, 1863, and treats as if nonexistent the explanatory order of the War Department, Adjutant and Inspector General's Office, General Orders, No. 16, February 7, 1863, which clearly defines the limits of jurisdiction and expressly forbids the supervisory action he claims and admits to have systematically exercised in "setting aside" (see General Orders, No. 16) the "decisions and exemptions established under the authority of the commandants of conscripts in the respective States." Had any case of supposed error been reported it would have been reviewed by the proper authorities, but not one such specific case has ever been presented to me, nor, that I am aware of, to any of my subordinates.

Third. He claims for and assigns to his officers the right to overrule the medical decisions of the boards of surgeons, specially organized by law for the sole purpose of dealing with questions of exemption for physical incapacity, and whose decisions are declared in General Orders, No. 82, of 1862, to be final.

In conclusion, I declare that had these arbitrary proceedings been on a small scale I should have contented myself with endeavoring to procure remedial action in particular cases, and should not have

troubled the Department on the general point of conflicting jurisdiction.

I am, sir, very respectfully, your obedient servant,

G. J. RAINS,

Brigadier-General and Superintendent.

P. S.—In reference to General Pillow's statement as to Mississippi conscripts, the War Department is respectfully reminded that since January 20, ultimo, under special instructions from the Secretary of War, all conscripts from that State have been requested to be sent to General Bragg's army until further orders.

ADDRESS.

TO THE PEOPLE OF THE CONFEDERATE STATES:

In compliance with the request of Congress, contained in resolutions passed on the 4th day of the current month, I invoke your attention to the present condition and future prospects of our country and to the duties which patriotism imposes on us all during this great struggle for our homes and our liberties. These resolutions are in the following language:*

Fully concurring in the views thus expressed by the Congress, I confidently appeal to your love of country for aid in carrying into effect the recommendations of your Senators and Representatives. We have reached the close of the second year of the war, and may point with just pride to the history of our young Confederacy. Alone, unaided, we have met and overthrown the most formidable combination of naval and military armaments that the lust of conquest ever gathered together for the subjugation of a free people. We began this struggle without a single gun afloat, while the resources of our enemy enabled them to gather fleets which, according to their official list published in August last, consisted of 427 vessels, measuring 340,036 tons and carrying 3,268 guns. Yet we have captured, sunk, or destroyed a number of these vessels, including two large frigates and one steam sloop of war, while four of their captured steam gunboats are now in our possession, adding to the strength of our little Navy, which is rapidly gaining in numbers and efficiency. To oppose invading forces composed of levies which have already exceeded 1,300,000 men, we had no resources but the unconquerable valor of a people determined to be free, and we were so destitute of military supplies that tens of thousands of our citizens were reluctantly refused admission into the service from our inability to provide them with arms, while for many months some of our important strongholds owed their safety chiefly to a careful concealment of the fact that we were without a supply of powder for our cannon. Your devotion and patriotism have triumphed over all these obstacles and called into existence the munitions of war, the clothing, and the subsistence which have enabled our soldiers to illustrate their valor on numerous battle-fields, and to inflict crushing defeats on successive armies, each of which an arrogant foe fondly imagined to be invincible.

The contrast between our past and present condition is well calculated to inspire full confidence in the triumph of our arms. At no

* See "Joint Resolution relating to the production of provisions," p. 468.

previous period of the war have our forces been so numerous, so well organized, and so thoroughly disciplined, armed, and equipped as at present. The season of high water, on which our enemies relied to enable their fleets of gun-boats to penetrate into our country and devastate our homes, is fast passing away; yet our strongholds on the Mississippi still bid defiance to the foe, and months of costly preparations for their reduction have been spent in vain. Disaster has been the result of their every effort to turn or to storm Vicksburg and Port Hudson, as well as of every attack on our batteries on the Red River, the Tallahatchie, and other navigable streams. Within a few weeks the falling waters and the increasing heats of summer will complete their discomfiture and compel their baffled and defeated forces to the abandonment of expeditions on which was based their chief hope of success in effecting our subjugation. We must not forget, however, that the war is not yet ended, and that we are still confronted by powerful armies and threatened by numerous fleets; and that the Government which controls these fleets and armies is driven to the most desperate efforts to effect the unholy purposes in which it has thus far been defeated. It will use its utmost energy to arrest the impending doom, so fully merited by the atrocities it has committed, the savage barbarities which it has encouraged, and the crowning infamy of its attempt to excite a servile population to the massacre of our wives, our daughters, and our helpless children. With such a contest before us there is but one danger which the Government of your choice regards with apprehension, and to avert this danger it appeals to the never-failing patriotism and spirit of self-sacrifice which you have exhibited since the beginning of the war. The very unfavorable season, the protracted droughts of last year, reduced the harvests on which we depended far below an average yield, and the deficiency was unfortunately still more marked in the northern portion of the Confederacy, where supplies were specially needed for the army. If through a confidence in early peace, which may prove delusive, our fields should be now devoted to the production of cotton and tobacco instead of grain and live stock, and other articles necessary for the subsistence of the people and the Army, the consequences may prove serious, if not disastrous, especially should the present season prove as unfavorable as the last.

Your country, therefore, appeals to you to lay aside all thought of gain, and to devote yourselves to securing your liberties, without which those gains would be valueless. It is true that the wheat harvest in the more southern States, which will be gathered next month, promises an abundant yield; but even if this promise be fulfilled the difficulty of transportation, enhanced as it has been by an unusually rainy winter, will cause embarrassments in military operations and suffering among the people, should the crops in the middle and northern portions of the Confederacy prove deficient. But no uneasiness need be felt in regard to a mere supply of bread for man. It is for the large amount of corn and forage required for the raising of live stock and for the supply of the animals used in military operations that your aid is specially required. These articles are too bulky for distant transportation, and in them the deficiency in the last harvest was most felt. Let your fields be devoted exclusively to the production of corn, oats, beans, peas, potatoes, and other food for man and beast; let corn be sown broadcast for fodder in immediate proximity to railroads, rivers, and canals, and let all your efforts be directed to the prompt supply of these articles in the districts where our armies

are operating. You will thus add greatly to their efficiency and furnish the means without which it is impracticable to make those prompt and active movements which have hitherto stricken terror into our enemies and secured our most brilliant triumphs.

Having thus placed before you, my countrymen, the reasons for the call made on you for aid in supplying the wants of the coming year, I add a few words of appeal in behalf of the brave soldiers now confronting your enemies, and to whom your Government is unable to furnish all the comforts they so richly merit. The supply of meat for the Army is deficient. This deficiency is only temporary, for measures have been adopted which will, it is believed, soon enable us to restore the full ration. But that ration is now reduced at times to one-half the usual quantity in some of our armies. It is known that the supply of meat throughout the country is sufficient for the support of all, but the distances are so great, the condition of the roads has been so bad during the five months of winter weather through which we have just passed, and the attempt of groveling speculators to forestall the market and make money out of the lifeblood of our defenders have so much influenced the withdrawal from sale of the surplus in the hands of the producers, that the Government has been unable to gather full supplies.

The Secretary of War has prepared a plan,* which is appended to this address, by the aid of which, or some similar means to be adopted by yourselves, you can assist the officers of the Government in the purchase of the bacon, the pork, and the beef known to exist in large quantities in different parts of the country.

Even if the surplus be less than is believed, is it not a bitter and humiliating reflection that those who remain at home, secure from hardship and protected from danger, should be in the enjoyment of abundance, and that their slaves also should have a full supply of food, while their sons, brothers, husbands, and fathers are stinted in the rations on which their health and efficiency depend?

Entertaining no fear that you will either misconstrue the motives of this address or fail to respond to the call of patriotism, I have placed the facts fully and frankly before you. Let us all unite in the performance of our duty, each in his sphere, and with concerted, persistent, and well-directed effort there seems little reason to doubt that under the blessing of Him to whom we look for guidance, and who has been to us our shield and our strength, we shall maintain the sovereignty and independence of these Confederate States, and transmit to our posterity the heritage bequeathed to us by our fathers.

JEFFERSON DAVIS.

EXECUTIVE OFFICE,
Richmond, April 10, 1863.

GENERAL ORDERS, No. 39. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, April 10, 1863.*

I. That in all cases of impressment heretofore made under the authority of any of the persons mentioned in paragraph II of section 11 of General Orders, No. 37, in which the property impressed is either in the possession of the owner or of the impressing officer or his subordinates, and the compensation therefor shall not have been

* Not found herewith, but see Northrop's circular letter of April 15, 1863, Vol. III, this series, p. 290.

adjusted, and it shall be necessary to determine the compensation to be made, it shall be lawful to employ the rules and agencies provided in the act of Congress concerning impressment and the general orders aforesaid for that purpose, in the same manner and under the same circumstances as if the impressment had been made since the date of the same.

II. "Conscripts examined prior to the publication of General Orders, No. 22, Adjutant and Inspector General's Office, February 23, 1863, and excused from military service, for reasons announced in that order as insufficient cause for exemption, will be re-examined by the examining board of surgeons for the different Congressional districts, and if not deemed unfit for military duty under the instructions issued, will be received into service."

"Temporary exemption" will not be given for a "period beyond thirty days."

By order:

S. COOPER,
Adjutant and Inspector General.

LONDON, *April 11, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I beg to inclose duplicate of my respects dated 30th of March, ultimo, and am since without any of your favors. I am happy now to have to advise that Major Huse has returned from the Continent, and that I had a conference with him on the 9th instant. In that conversation he informed me that he had already bought for the Government three steamers to run between Bermuda and our ports, and further, that he feared there would be some difficulty in deciding which boats the goods he bought should go on. I reminded him that as Mr. Mason had showed him your letter stating the basis upon which the business between the Government and myself should be conducted, that the steamers purchased by me would only carry the goods purchased by Collie and myself. This he expressed surprise at, and said that Isaac, Campbell & Co. were much better prepared to make such purchases, being more familiar with the business than A. Collie & Co., and that he preferred to think the matter over before arriving at any conclusion. To-day I have had another conference with him, the result of which I beg leave to inclose in the shape of a copy of a letter from him. The original I retain. I was extremely anxious that he should give his reasons for declining to fill the medical and ordnance orders through A. Collie & Co. in the same letter, but he insisted that he was very much pressed for time and must postpone it until he had more leisure. From what passed verbally I conclude that he is determined that his orders shall continue to be executed through his friends, Isaac, Campbell & Co.; but as he will doubtless write to the Department his reasons for this course, it is unnecessary for me to say more just here, except to add that from what I hear of the house I would not select to place my business in their hands. This much I would not say if I did not feel justified by good evidence for saying it.

I omitted in the beginning to say that before Major Huse's arrival I purchased a very fine and fast side-wheel steamer for £26,000. The only objection to her is that she cost too much money. She is just finished, and will commence taking in cargo next week, as will also

the first of the double screws. She could have been bought ten days ago for £24,000, but after the trial trip they put up the price to £27,000, and while by holding off we might have bought her for £25,000, yet as three other parties were talking of her and to decide next day, I feared I might lose her by delay. I think you will be pleased when you hear of her arrival in the Confederate States. These two vessels, to commence loading next week, will carry the goods already bought by Major Ferguson, which he estimates at 300 tons, and will be the half of each cargo to which your Department is entitled. One-fourth of this cargo I shall purchase for the Navy Department, under Mr. Mallory's advice that he has arranged with you to take one-fourth interest in each vessel; the other fourth of each cargo will, of course, be on our own account. Inasmuch as these goods were bought by Major Ferguson before I entered into this arrangement, and have in many instances already paid a commission, we will not make any charge on them, but will in future always charge 2½ per cent. commission on the Government portion of each cargo by these vessels. I hope you will agree with me that is strictly in accordance with our agreement, and it is not amiss, I think, to observe that the Government has rarely failed to pay a commission on its purchases here. In this connection pardon me for adding that I shall not regret a comparison of our invoices and the quality of the goods we send with what have heretofore gone forward, though it is generally understood here that many thousand dollars' worth of goods have been sent to our Government without any invoices. You will know whether or not this is so, and the reasons for it.

Mr. Mason furnished me to-day with £55,000, which will meet the Government's three-fourths of the two steamers' cargoes, but we will want more money very soon to send cargoes out to Nassau to meet them on their return. I hope I shall be able to obtain Major Huse's aid in obtaining it for your Department, and Captain Bulloch's for the Navy.

Permit me, in conclusion, to say that I should be very sorry if the arrangement made by your Department with me should result to the prejudice of our Government, but that although it meets with some opposition here (I mean that although Major Huse seems to think it a bad one), yet I am more than ever satisfied that it will result in much good to our Government and people, in this, that the goods will be bought here at least as cheap and laid down in our ports at much less cost than ever before. In considering this question may I suggest that it might be well for you to inquire into the expense heretofore incurred on Government goods at the islands, as it is reported that a charge of 5 per cent. on invoice cost has been frequently charged there. I cannot believe that it is so, but it is worth inquiring into.

Hoping soon to have the pleasure of writing you by the two new steamers,

I remain, your most obedient,

WM. G. CRENSHAW.

P. S.—I find that I have omitted to say that of the three vessels I had under consideration when I last wrote only one would have suited in any way. She was at Hamburg, and I sent over to look at her, and before our messenger returned she was sold. I have already written you how heartily Mr. Mason approved of the arrangement the Government has made with me. He took occasion to repeat his hearty indorsement.

W. G. C.

[Inclosure No. 1.]

LONDON, *March 30, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I had this pleasure 13th, 14th, and 21st instant, duplicates* of which I beg now to inclose. Since the latter date I have received none of your favors. I regret to have to advise that Maj. C. Huse has not yet returned to this city. I have a letter from him dated 20th instant at Paris, saying that he has received a letter from the War Department containing extract of your letter to me of 8th February, and from what he can gather from this extract it will be desirable for us to confer with each other, and regrets that it is necessary for him to leave Paris for Vienna that evening; that immediately on his return he will communicate with me. I have not felt that I ought to lose a moment in making arrangements to carry my arrangements into effect on account of Major Huse's absence from England, and after conferring with Mr. Mason and showing him your last dispatch we have signed the contract between him, Mr. Collie, and myself, a copy of which I beg leave to inclose herein.† I believe and sincerely trust that in all respects it will meet your approval. If in this I err, please advise me in what particular, and I will try to have it altered to meet your views.

The French loan being put through very easily (the particulars of which will doubtless reach you through Mr. Mason), he requested that I should inform him how fast I would require the money, and I beg to inclose copy of my letter to him of 20th instant.† This is based on the contract which we have already closed for four iron steamers to be ready as follows, viz: Built by Dudgeon & Brother, London, first ready 6th of April, guaranteed fourteen and one-half knots per hour; second ready 6th of May, guaranteed thirteen and one-half knots per hour; third ready 30th of June, guaranteed fifteen knots per hour; fourth ready 15th of July, guaranteed fifteen knots per hour; all at £14,500 each, less 1 per cent. brokerage; and have now under consideration three steamers which are ready for sea. One of them, I think, we will close for this week and possibly for two of them. It is but justice to Mr. Collie to add that he had already before my arrival here contracted with Dudgeon for steamer marked first above, and to be ready 6th of April, and could have sold his contract for a very large profit; indeed, I would have paid it if she had belonged to any one else, as our offer of £17,500 for the Kate, built by Dudgeon, and just finished (at whose trial trip I was two weeks ago), was refused. She is to be at least one knot faster than the Flora, which was built by the same parties, and which is one knot faster than the Kate. I made the offer for the Kate because of my anxiety to get started, and especially after getting Major Ruffin's order was more than ever anxious to secure her, but the parties bought the contract some time ago for £15,500, and on account of the recent successes through the blockade have concluded, I hear, to send her to the Confederate States instead of to China, as originally intended. These four vessels are all double-screw and full sister of the Flora, of which you have probably heard, as she has successfully run the blockade twice up to our last dates from Nassau. I inclose the correspondence† with Mr. Collie in reference to the first vessel, and take occasion to add that I believe that he will carry out in good faith article No. 10 of our contract, which, by the way, is a very important one, for you can scarcely form an idea of the extent to which commissions and

* Letters of 13th and 14th not found. † Not found.

drawbacks are allowed in this country. It is almost universal, but as you already see if it be once allowed there is no limit to which it might be carried.

I trust in all next week to be able to commence loading this first vessel, and that it will not be long after this reaches you before she and probably one of those I am in treaty for reach one of our ports. In this connection it is proper to add that it is an absolute necessity for the proper conduct of this business on the scale it must be carried on that we should have a house in Charleston or some other of our Southern cities, and knowing no one who would be more competent to carry it on than my brother James, I have written him that he must go. Being in the commissary office, I fear that he will object, and I beg if he does that you will use your influence with him to go. I know that his desire in this contest is to take that position in which he can do our country the greatest service, and I am more than ever satisfied that the carrying out of this arrangement successfully will do more to aid our Government in controlling prices of goods and appreciating our currency than anything else would, and that therefore he ought to go without consulting his own wishes, and I know he will do so if he is convinced of these facts.

I am very much pleased to see from your favor of February 4 that your opinions are identical with mine in thinking that the business can only be prosecuted successfully by having a depot at the islands, and that with very fast steamers between these and our ports the trips can be made with almost the regularity of packets. You will see by the contract that I provide for one or more depots, and already Mr. Collie has agents there to look after his interests, and they will also have charge of ours. I trust Mr. Mallory will find it convenient to let me have at least two or three first-rate naval officers to take charge of as many of our steamers, and I will let you know when I want them sent out. He promised me before I left that I should have them if I concluded to carry this arrangement out. I trust that you will not think that I commit an error and go in violation to your orders in continuing my arrangements without awaiting Major Huse's return. I do not desire to do so, but in any event I look upon prompt action as important, and with Major Ruffin's order for meat before me it seems that there is not a moment to be lost in preparing to carry out his order. Mr. Mason has seen Mr. Erlanger and informs me that the £55,000 wanted by me by 10th of April will be advanced promptly when wanted, and assures me that the balance of my wants will be met out of the regular payments to the loan, unless in the meantime other orders for the money are sent forward by the Treasury Department. I beg, therefore, to suggest that to insure my not being put to any inconvenience on this account that you send me such papers or drafts on the financial agent or on the depositaries as will put it beyond any question. I find that while the purchases of goods, &c., and sale of cotton will be made through Mr. Collie's several houses here and elsewhere, yet in order to retain control and keep well posted as to the condition of the accounts it will be necessary for me to open a separate set of books. This will be done in the name of Crenshaw & Hobson. This latter is Lieut. C. L. Hobson, who was sent out with me by Mr. Mallory. He being interested with me in these ventures, will remain here to aid me in carrying them out, and feels the same necessity of resigning his commission that I do, and I beg to inclose herein his resignation* with duplicate* of my own.

*Not found.

Please address me in future to the care of Alex. Collie & Co., No. 22A Austin Friars, London, and I shall be much indebted for any suggestions that you may from time to time think proper to honor me with. I am sure it is not necessary to reiterate to you my great desire to serve our country to the best of my ability, and that no exertion shall be spared on my part to discharge well all of the interests that they may intrust to me while here.

I remain, very truly, your most obedient,

WM. G. CRENSHAW.

[Inclosure No. 2.]

22A AUSTIN FRIARS, LONDON, *April 11, 1863.*

WILLIAM G. CRENSHAW, Esq.,
London:

DEAR SIR: Referring to the conversation I have had with you on the subject of your mission to Europe, I have to say that in compliance with the instructions of the War Department I will keep you informed of the wants of the War Department as I may from time to time receive them. As regards the purchase of supplies for the Ordnance and Medical Departments, I shall make the purchases without availing myself of the services of Messrs. Crenshaw & Collie, excepting in such cases as I may feel satisfied their agency would be advantageous to the Confederate States Government. My reasons for coming to this determination I will communicate to you at a future time.

I am, dear sir, in haste, yours, truly,

CALEB HUSE.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, April 13, 1863.

General BRAXTON BRAGG,
Commanding, &c.:

GENERAL: A letter of Brigadier-General Pillow, containing a number of inclosures relative to the organization and procedure of a bureau of conscription established under his superintendence by your orders, with your indorsement, has been received. The Department, after an examination of all the orders and instructions that have been issued under its instruction, can have no other opinion than that the organization described was not sanctioned by them, nor could it adopt it as legitimate without superseding its own arrangements and transferring its own functions to those to whom the law has not confided them. Having concluded as to this, its decision was twice sent to you and the reasons for it explained at much length in a letter directed to General Johnston. The Department has not thought it worth while to encumber its action by special criticisms upon the orders and procedure of that bureau, nor by communicating the outcry and dissatisfaction that the conduct of some of the officers created. The Department has found by experience that irregular and unauthorized proceedings of military officers are not likely to promote harmony or to prevent discontent or disorder, and that the good of the service requires of it to correct them when they are brought to its notice. This is the whole extent of its action in this instance. The letter of Brigadier-General Pillow to your adjutant-general was referred to the

Bureau of Conscription. The superintendent of the Bureau has made a report, a copy of which is inclosed.*

For Secretary of War.

Very respectfully, your obedient servant,

J. A. CAMPBELL,
Assistant Secretary of War.

RICHMOND, *April 14, 1863.*

Lieut. Col. L. SMITH,
Assistant Quartermaster-General, Richmond, Va.:

SIR: I inclose you seventy-five copies of a circular† recently issued with the approval of the War Department and designed to restrain competition between quartermasters in the purchase of army supplies, and regulate other matters of importance to the service. You will see that you have been designated as the principal purchasing officer for that district, which embraces the State of Virginia, and you will do all in your power to inaugurate this new system and see that the provisions of the circular are strictly adhered to by all your subordinates. Any violation of the same that may be brought to your attention will be promptly reported to this office. These copies are intended for liberal distribution among the various post quartermasters stationed within your district, all quartermasters in the field being supplied with the same through the chief officer of the command to which they are attached. Before issuing these let certain verbal corrections be made as suggested by the within copy.

A. C. MYERS,
Quartermaster-General.

(Same to the following officers, varied only as to the number of circulars inclosed: Maj. W. W. Peirce, Raleigh, N. C., for North Carolina; Maj. I. T. Winnemore, Augusta, Ga., for Georgia; Maj. J. L. Calhoun, Montgomery, Ala., for Alabama; Maj. H. R. Teasdale, Lake City, Fla., for Florida; Maj. G. W. Grice, Alexandria, La., for Louisiana; Maj. S. Hart, San Antonio, Tex., for Texas; Maj. J. B. Burton, Little Rock, Ark., for Arkansas and Mississippi; Maj. James Glover, Knoxville, for Tennessee and Kentucky.)

RICHMOND, VA., *April 14, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: Since my conversation with you last evening I have concluded that I knew enough of the equipments of the various railroads making up the principal lines of the country to enable me to give you a sufficiently accurate estimate of their necessities in the way of engines and cars, in order that a determination be come to as to what shall be done to increase their efficiency, and, if possible, meet the wants of the country. Commencing at this city and looking south and west, we have a line reaching to Middle Tennessee through Lynchburg and Chattanooga and to Atlanta, Ga., by Dalton.

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*See Rains to Seddon, April 7, p. 473.
†See March 24, p. 453.

The roads making up this line are as follows:

Names of roads.	Stock wanted.
Richmond and Danville, South Side	2 engines and 50 cars.
Virginia and Tennessee	4 engines and 50 cars.
East Tennessee and Virginia	4 or 5 engines and 75 cars.
East Tennessee and Georgia	
Nashville and Chattanooga	50 cars.
Western and Atlantic	Can do with present stock, but wants material.

By the southern route we have a line to Weldon; thence via Wilmington on one hand and via Raleigh on the other to Kingsville, S. C.; thence to Augusta and Atlanta on one hand and to Macon and Columbus, Ga., on the other. From Florence there is a road leading to Charleston, and from thence to Savannah. There is also a connection with Savannah through Augusta by Millen. The roads making up this line with the various branches are as follows:

Names of roads.	Stock wanted.
Richmond and Petersburg	5 cars.
Petersburg	50 cars.
Wilmington and Weldon	4 engines and 100 cars.
Wilmington and Manchester	1 engine and 100 cars.
Raleigh and Gaston	Can get along with present stock.
North Carolina	4 engines and 100 cars.
Charlotte and South Carolina	2 engines and 50 cars.
South Carolina	Can get along with present stock.
Northeastern	2 engines and 25 [cars].
Georgia	Can get along with present stock.
Central of Georgia	Can get along with present stock.
Southwestern	50 cars.
Muscogee	Can get along with present stock.

The Macon and Western road forms a connection between Macon and Atlanta. This road ought to have fifty cars in addition to its present stock.

From Atlanta and Columbus the Atlanta and La Grange and Montgomery and West Point roads connect the two places. The latter road ought to have two engines and fifty cars. The former road can get along with assistance that it receives from the Georgia road.

From Montgomery to Mobile the line is made up by the Alabama and Florida road of Alabama and the Mobile and Great Northern road. Each ought to have an engine and twenty-five cars.

From Mobile to Vicksburg the Mobile and Ohio and Southern roads form the line. The former have an abundant equipment and the latter is at present supplied by the Memphis and Charleston road, now nearly out of use.

In addition to this route to Vicksburg, we have the Alabama River from Montgomery to Selma; thence by rail to Demopolis, where there is a portage of four miles and half on the Tombigbee River; thence by rail to Meridian—eastern end of the Southern road to Vicksburg. This road, from Selma to Meridian is also supplied with equipments from the Memphis and Charleston road. The New Orleans, Jackson and Great Northern and the Mississippi Central roads form a line from Ponchatoula—forty-seven miles from New Orleans—to Water Valley, in North Mississippi. Each of these roads have an abundant equipment for present use. Much of it, however, is getting in very bad order, and extensive repairs will be necessary to render it equal to any great emergency.

On our northern border we have the Virginia Central and Orange and Alexandria roads connecting this city with Lynchburg. These roads, I think, ought to have one engine and twenty-five cars.

The Richmond, Fredericksburg and Potomac road connects this city with Fredericksburg, and, I am informed by its president, ought to have two engines and twenty-five cars.

By this estimate 31 engines and 930 cars are wanted. I have no doubt you will think it a very large estimate, but I beg to remind you that the deterioration of both is not much, if any, short of 25 per cent.; and with the limited means of repairing and impossibility for renewal during the past two years I am only surprised that the roads of the country have been able to keep up to the present standard.

I have thus, I believe, given you a correct list of the roads making up the principal lines in the country, and I do not think I have exaggerated their present necessities in the way of equipments to enable them to perform promptly the transportation which the country demands. That more [*sic*] accomplished than has been done I am free to admit, but that anything like the necessities of the country can be met without largely increasing their power is, in my judgment, out of the question. Practical results for a considerable time should guide us in our judgment as to what may be expected in the future; and for the last two years the railroads of the country have been unable to meet promptly the requirements of Government. Can we expect any better result in the future without some change in their condition? I think not, and therefore urge the necessity of prompt action looking to a restoration of the principal roads in the country to the best possible condition.

Should you not consider this estimate sufficiently accurate, I will take early measures to obtain more precise information.

I am, sir, very respectfully, your obedient servant,

WM. M. WADLEY,
Assistant Adjutant-General.

EXECUTIVE DEPARTMENT,
Milledgeville, Ga., April 14, 1863.

His Excellency JEFFERSON DAVIS,
President, &c.:

DEAR SIR: In conformity to the request of the General Assembly of this State, I have the honor herewith to transmit to you a copy of resolutions just passed, recommending an increase of pay to the privates and non-commissioned officers in the service of the Confederate States.

Very respectfully, your obedient servant,

JOSEPH E. BROWN.

[Inclosure.]

Whereas, His Excellency the Governor has brought the question of the justice and propriety of increasing the monthly pay of privates and non-commissioned officers of the armies of the Confederate States before the General Assembly; and whereas, the General Assembly concurs in the justice and importance of this recommendation: Therefore,

Resolved (1), That our Senators and Representatives in Congress be, and they are hereby, requested to bring the question before the Congress of the Confederate States, and to do all in their power, by their influence and their votes, to procure the passage of an act to raise the monthly pay of privates in the Army to twenty dollars per month, and non-commissioned officers in like proportion, and to procure the assessment of a tax sufficient to meet the increased expenditure, to be levied, as far as practicable, upon the income of speculators and extortioners, and upon the wealth of those who are not in the Army.

Resolved (2), That the Governor be requested to forward a copy of these resolutions to the President of the Confederate States, and to the Governor of each State in the Confederacy, and to each of our Representatives in Congress.

Resolved (3), That the troops in the service of this State shall receive the same pay as the Confederate troops.

JOHN BILLUPS,
President of the Senate.

JAS. M. MOBLEY,
Secretary of Senate.

WARREN AKIN,
Speaker House of Representatives.

L. CARRINGTON,
Clerk House of Representatives.

Cordially approved April 13, 1863.

JOSEPH E. BROWN,
Governor.

RICHMOND, VA., *April 15, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: In compliance with your request I beg leave to submit the following estimated capacity of the railroads making up the leading lines in the country:

Name of road.	Trains run daily each way.				
	Passenger.	Freight.		Coal.	
		Number.	Tons.	Number.	Tons.
Richmond and Danville	1½	1	100	1	100
South Side	1	1	125	.....	.....
Virginia and Tennessee	1	2	240	.....	.....
East Tennessee and Virginia	1	1	130	.....	.....
East Tennessee and Georgia	1	1½	210	.....	.....
Nashville and Chattanooga	1	2	200	.....	.....
Western and Atlantic	2	3	350	.....	.....
Richmond and Petersburg	2	2	225	2½	200
Petersburg	2	2	225	.....	.....
Wilmington and Weldon	2	½	50	.....	.....
Wilmington and Manchester	2	1	100	.....	.....
Raleigh and Gaston	2	1	130	.....	.....
North Carolina	2	½	50	.....	.....
Charlotte and South Carolina	2	1	130	.....	.....
South Carolina	2	3	400	.....	.....
Northeastern	1	1	100	.....	.....
Georgia	2	3	400	.....	.....
Central of Georgia	2	3	400	.....	.....
Charleston and Savannah	1	1	150	.....	.....
Southwestern	2	2	250	.....	.....
Muscogee	2	1	125	.....	.....
Macon and Western	1	2	250	.....	.....
Atlanta and La Grange	2	1	150	.....	.....
Montgomery and West Point	2	1½	175	.....	.....
Alabama and Florida of Alabama	1	1	125	.....	.....
Mobile and Great Northern	1	1	125	.....	.....
Mobile and Ohio	2	3	400	.....	.....
Southern	1½	2	200	.....	.....
Alabama and Mississippi Rivers[a]	1	1	100	.....	.....
North Carolina, Jackson and Great Northern	2	2	275	.....	.....
Mississippi Central	2	2	225	.....	.....
Richmond, Fredericksburg and Potomac	2	1½	190	.....	.....
Virginia Central	1½	1½	140	.....	.....
Orange and Alexandria	1	1½	160	.....	.....

[a] Selma to Meridian.

The above roads are given in the same order as in my communication of yesterday in reference to their necessities in the way of engines and cars.

Any change in the position of our Army would to some extent modify the ability of one or two of the roads; as, for example, the Virginia Central can deliver more tons of freight at Hanover Junction than it would be able to do at the upper end of the line. I would also remark that this estimate has been made in the absence of any data beyond my general knowledge of the ability of the roads in the country, except the roads terminating in this city, from the officers of which I have obtained the necessary information to enable me to approximate their actual capacity; therefore you must not place implicit reliance on it.

Trusting that this estimate will be satisfactory, I am, sir, very respectfully, your obedient servant,

WM. M. WADLEY,
Assistant Adjutant-General.

EXECUTIVE DEPARTMENT,
Tallahassee, April 15, 1863.

His Excellency JEFFERSON DAVIS,
Richmond, Va.:

SIR: I did not convene the General Assembly of this State in extra session to enact a law or laws to regulate the planting of cotton crops, as was suggested by Governor Brown, of Georgia, although requested by respectable citizens in several counties.

The General Assembly of this State had, at its last session, discussed the policy of regulating labor by legislation, and, sustained by the Senate, it was repudiated by a very large majority in the House of Representatives. Even if I could have presumed a change of opinion on the subject (our seasons here being much more favorable for early planting than in Georgia), many of our planters had commenced to plant, and the crops generally would have been planted before it was possible to secure legislation to prohibit or limit the right to plant cotton. Moreover, the intelligence and patriotism of the planters of Florida induced them last year to plant cereals to the exclusion of cotton. An immense amount of corn was made, and for the want of transportation hundreds of thousands of bushels of corn will be held by our planters when the crop of the present year will be gathered. By correspondence with intelligent citizens in different parts of the State I was informed of the immense quantity of corn on hand, and that, nevertheless, there would not be scarcely as much cotton planted this as there was last year, except in two or three counties in the State from which corn, &c., could not be conveniently transported, and where the villainous traffic carried on by speculators who have "run the blockade" had excited, by high prices for cotton and the introduction of rum and gin (but no arms or munitions of war), a disposition to make cotton, &c., regardless, perhaps, of "the general welfare."

The means for transportation are too limited to justify legislation on the subject. The Confederate Government has been appealed to in vain to make railroad connections necessary to the defense of the State, as well as to secure supplies from Florida for the armies of the Confederate States.

Under existing circumstances no law could be made to regulate planting which would be uniform in its operation, just to the constitutional rights of citizens, or beneficial to the Confederate Government. Hence, if the legislation proposed were constitutional, I have deemed it wisest and best to rely upon the intelligence and patriotism the exigencies of the war demand rather than legislation.

But candor requires me to say that I am not convinced that in a government like ours the legislative power rightly exists to prescribe what shall or shall not be planted. If it does exist it should be most discreetly exercised. If the General Assembly of a State has the power to enact a law prohibiting or restricting the planting of cotton in order to support the Army, &c., by raising cereals, why may not the same General Assembly enact a law to prohibit the plowing of horses because useful for cavalry, or mules because necessary for transportation, or oxen because necessary for beef? In a word, why may not they confiscate all rights of property in individuals for the benefit of the Confederate Government? I am opposed to all legislation on the part of either the Confederate [or] State government which is not clearly constitutional. Infractions of the Constitution during the war are more dangerous than in peace. In war or peace the Constitution should be considered the anchor of our hopes for freedom and manly independence. Statesmen should studiously guard against the insidious influences of the occasional panics which excite the public mind and engender what is termed public sentiment. The vicissitudes of the war in which we are engaged, in view of its important and world-wide results, incline the best-informed and most patriotic men to lend a favorable ear to any pretense, however specious, to sustain the noble cause in which we are engaged, and therefore it is the imperative duty of statesmen—especially those who occupy high official position—not to permit their zeal to exceed their wisdom; not to yield even to public sentiment unless it should be compatible with constitutional liberty as secured by a fundamental law. The avidity with which patriots embark in any enterprise to promote the public welfare during the afflictions of war afford to speculators, traitors, and demagogues excellent opportunities to create panics for their individual benefit or aggrandizement; hence what is termed "the outside pressure" upon legislative bodies.

While it is contended that foreign nations cannot exist without the cotton produced by slave labor in the Southern States, I would most respectfully present to your serious consideration whether or not, if the legislative power of these States shall prohibit the cultivation of cotton by slave labor (of which foreign nations will be informed), their antipathies to slavery and their necessities for cotton may not be successfully appealed to by the United States Government for co-operation to abolish slavery and to raise cotton without slave labor.

The effort is now being made to form aid and emigration socities in Europe, as well as in the United States, to colonize Florida and thus abolish slavery in the State. If successful, what will be the condition of the other cotton States? More than a year ago I expressed the opinion that as soon as it had been clearly ascertained that foreign governments recognized the blockade of Southern ports, knowing its inefficiency, wisdom required of our Government to make the blockade complete. I know of no reason why, if England and France were willing to engage in war with China to secure commerce in opium with the Chinese people against their will and the decrees of their Government, England and France and other nations would not raise a blockade for commerce in cotton, tobacco, &c., with the Southern

States, while their people desired and their Government proposed the commercial intercourse, provided cotton, &c., could not be obtained by smuggling.

I believe now the wisest and best course which existing circumstances suggest to prevent the planting of excessive crops, insure the culture of cereals, sustain the public credit, prevent speculation, extortion, and riots for bread—a measure entirely consistent with constitutional liberty, conducive to the general welfare, and to the independence of the Confederate States—would be an act of Congress prohibiting, under severe penalties, all commercial intercourse with foreign nations, except such as should be authorized by the Government through special agents, and exclusively for the purposes of Government. If trade between our citizens and the speculators who succeed in running the blockade was prevented, all inducements to make cotton except for the benefit of the Government in its negotiations and for domestic uses would be cut off; individual energy and enterprise and enlightened public sentiment would insure the necessities and even the comforts of life to the people and to the armies; the Confederate currency would be independent in itself for all the purposes of commerce between the States, individuals, and the Confederate Government, as there would be no demand for specie or foreign exchange to sustain our domestic commerce. Thus inducements to speculation and extortion would be destroyed, our people would depend on themselves, and the Confederate Government would reflect the intelligence and probity of an independent and self-sustaining association of States.

Experience may suggest the propriety, justice, and necessity of an additional act of Congress to remove from the Confederate States all persons who claim to be aliens and therefore exempt from and refuse to volunteer into the military service of the Confederate States. The number of persons who consume and speculate upon our labor would be greatly diminished and the States would be relieved of the most dangerous element which threatens public safety, a class of men who contribute nothing to our agricultural prosperity, but who live and speculate upon our agricultural products, and basely refuse to aid in the defense of that labor by which they not only subsist but accumulate wealth.

The opinions herein expressed are most respectfully submitted to your consideration.

I have the honor to be, respectfully,

JOHN MILTON,
Governor of Florida.

P. S.—Inclosed you will find a circular sent to me by mail. I have no idea who the author is; but that an effort is being made to organize a political party which will prove troublesome if not dangerous to the permanency and prosperity of the Confederate States I have but little doubt.

JOHN MILTON.

[Inclosure.]

Annexation of the Northwest.

"P. W. A.," the popular army correspondent of the Savannah Republican, writes to that paper from Charleston under date of March 12, as follows:

The opinion prevails in political circles that an effort will be made to bring out a ticket in opposition to the Confederate Administration in your approaching State elections.

The reader will understand the allusion to be the approaching election for Governor of Georgia. Upon the above opinion, understood by "P. W. A." to "prevail in political circles," he goes on to express his disapprobation in the following language:

> If it be true, however, that a party is about to be organized in opposition to the Administration, every *real* friend of the cause which engages our hearts and hands, and of the Army, must deplore it; and that, too, without reference to the merits or demerits of the Administration. Such a movement can have no other effect but to embarrass the Government and the Army and give most substantial aid to our enemies. The conscription acts are for the present the law of the land and constitute an important part of our military system, which cannot be changed without destroying the Army. Nor is there anything in the financial or foreign policy of the Administration to invite organized opposition, unless there is a *scheme* on foot, which Heaven forbid, to *bring in the States of the Northwest as a part of the Confederacy.*

The italics are my own, and I have been particular in preserving the language of the Republican's correspondent, because I would not knowingly misrepresent him. I desire the reader to have full confidence in his honesty, not because he is "P. W. A.," or the popular correspondent of the Republican, but not having been a member of that political party which controlled the South at the time of the dissolution of the Union, because he now in the honesty of his patriotism, which I do not question, takes upon him the defense of an Administration raised by that party. As he did not belong to that party, and we find him mildly advocating its administration of the Government, and defending it against the imputations of its opponents, there can be no justice in judging the Administration party by him, more especially when we find him using their identical language.

"P. W. A." argues in defense of the Administration what all its friends argue and have argued from the beginning. He presents nothing new; nothing that cannot be heard on the streets of every village in the South. They all raise a hue and cry whenever mention is made of an opposing political organization, just as the old Democratic party did against the Know Nothings, &c., as if to frighten away their opponents by the noise and thus secure their well-feathered nests without a contest. It is remarkable what emphasis they lay upon the words "real," "friends of the cause," &c., when they wish to direct public sentiment against their opponents; and attempting to work upon the credulity of the masses, they invariably declare all opposition to their own views unfriendly to the Administration, the Government, the Army, and ruinous to the cause in which their hearts and hands are all engaged. I say attempting to work upon the credulity of the masses, because I mean it. What else can it be? Do the friends of the Administration presume to deny that there are numbers of men as patriotic, just, and upright as themselves, differ with them in sentiment? If they do not know it I can assure them that the Confederate States, whose guardians they have constituted themselves, nay, the Army itself, of which they seem so solicitous, is thronged with such men. There are men opposed to the Administration whose purposes are as high as that of the loftiest patriots on the side of the Administration. But the clamor raised by the friends of the Administration, at the mention of a new political organization, in its frantic energy, partakes of fear, and as the Catholic counts his beads to keep off the hobgoblin, so the friends of the Administration begin to recount its deeds whenever the goblin appears. One political sin only seems to sit heavily upon their souls, and this, like the "Ghost of Banquo," cannot be exorcised. They have tried in every way to

make the conscript act lie upon the stomachs of the people, but all in vain. They have explained it by all the laws of necessity and emergency, declared it constitutional and patriotic; but still it was a bitter pill to a free people and could not be swallowed. Nothing but the strong arm (the tyrant's arm) of military power could enforce it, and well may the adherents of the Administration tremble when they look upon the picture. The Southern people are full of patriotism, and will continue in the armies of the Confederacy until their liberties are fully secured, but upon the restoration of peace they will turn their footsteps homeward, and like a wild deluge overwhelm all who have sought to increase their burden. It is indeed too late to "change the conscript acts now," but is this the apology of the Administration? Even the conscript, upon whom it bears with all its severity, will sanction this; but he will not forget to ask another question—he will not forget to demand, who forged these chains for freemen?

Had Lincoln been armed with a conscript act when at the commencement of this war he called upon the States of Virginia, Kentucky, and Missouri for their quotas of troops to subdue the South, he would not have been compelled to suffer the chagrin of disappointment upon the patriotic refusal of the Governors of those States; but he would have done then as President Davis can do now, in gross violation of every principle of State sovereignty, send foreign officers into the States, enroll, and transport beyond their jurisdiction every able-bodied man in them, thus totally disarming the States, at once destroying their constitutionally-established military departments, and depriving them of all means of self-defense. Can such an act be "constitutional?" What is a State government worth when the very power which sustains it is pulled from under it and held at the discretion of a foreign Executive? Are the Governors of these States and their cabinets mere puppets suspended upon the stage to amuse the women and children and the few non-combatant diseased men left by the operation of the conscript act? Let one of them deny it if he can—they have the name of Governor, but the President only can chuckle over the power. There is but one alternative for those who justify and declare the conscript act constitutional—they must also declare the States devoid of sovereignty. It is idle to call a State sovereign and yet acknowledge the constitutional right of a foreign Executive to divest it at any moment of the power to execute its sovereign authority. If what I have written is true, the conscript act was an egregious blunder, and even admitting the Administration to have been honest in its passage, it was still a blunder, and proved this, that the Administration party were sadly in want of statesmanship, or their sagacity would never have permitted the emergency to come upon the country, which they claim as having necessitated the act. Had they prepared the people for a long war instead of perpetually sounding in their ears that the war would end in three, six, and finally twelve months (thus preparing them for peace instead of war), the Army would have been enlisted for the war, and the end of the first twelve months would not have found the Confederacy without an army, or compelled to resort to the violation of a Constitution but a year old to sustain it by conscription. The old system of drafting (which was not objectionable to the people) was amply sufficient to send out able-bodied men to the defense of the country, and the Executives of States possessed ample authority under the military establishments of the several States to fill promptly every requisition made for troops by the President. But this was no infringement of

the Constitution or violation of State sovereignty. It left no ground for long-continued Congressional debate, and established no precedent for future aggressions upon the rights of the States. The party had dissolved the Union (a mighty deed, I grant), and must not only show its power but must signalize and distinguish its reign.

The fears of the friends of the Administration that an opposing political organization is about to spring into existence are well founded, not that the writer is in the secret, if it be such, or knows anything about it, but he presumes that there are thousands who feel as he does, that, judging the present Administration by its deeds and sentiments, it is unequal to the great future now dawning upon the Confederacy. Its policy is too circumscribed and illiberal to admit of an early conclusion of peace or to afford the widest extension of Southern influence and power when peace is restored. Already they begin to inveigh against the Northwestern States of the old Union and prepare the minds of the people to resist their contemplated application for admission into the Southern Confederacy. The admission of these States is supposed by the Administration party to be a part of the supposed new political organization about to spring up, and already it is characterized as a "scheme on foot, &c." This is the same old cry of "wolf"—a part of the same work upon the credulity of the masses, to mislead them and possess their minds with a half-defined fear of some great danger from the machinations of a powerful political organization. But it will not do. Speech and the press are still unfettered in the South, and I pray God that they may remain so to the end of time. But suppose the friends of the Administration are correct, and that the admission of those States is a part of the programme of the new organization, does it follow that the proposition to admit those States is a "scheme?" Was it "schemes" that admitted Missouri, Texas, California into the Union? With greater justice the Democratic party may be charged with having inaugurated a "scheme" to dissolve the Union. Texas could not be admitted into the Union until the Administration then in power was overthrown. The sentiments of the people prevailed and it was accordingly overthrown. Let the present Administration take warning. If its policy is not sufficiently comprehensive to embrace the utmost extension of Southern influence and power, it must give room to a wiser and more liberal Administration, whose views will not be confined to the narrow limits of the present bounds of the Confederacy, nor tremble for its political power at the bare mention of territorial acquisition. What does the present Administration fear? That the acquisition of territory will endanger the institution of slavery! To them slavery seems a precious jewel ornamented with cotton and set in the bosom of partisan power, for the admiration and worship of all future generations. I am as warm a supporter of slavery as any man in the Confederate States, but mankind at large will never be brought to worship at this shrine, and its toleration in these States by the rest of mankind is now, and will be, favored only by a conviction of necessity in view of the presence of the race in the Confederate States. The Abolitionists, upon the dissolution of the Union, charged the Secessionists with the intention of erecting a "Slaveocracy," and ridiculed the idea of establishing a permanent government whose chief basis was the institution of slavery. Had the South attempted this absurdity it would have merited the contempt and ridicule even of Abolitionists; but our present wise Constitution gives the lie to the charge and disappoints the cherished expectations of the Abolition calumniators.

It behooves the South, therefore, not to seem to make use of slavery as a perpetual inheritance springing from a natural right, which cannot but give offense to and embitter against them all civilized nonslaveholding nations, but with humanity, firmness, and dignity wield it as a valuable institution given by an Allwise Providence for the special development of the peculiar locality in which it is found. Constitutions, governments, and empires have their rise and fall. Human institutions are all unstable. They flourish with the vigor of their projectors, but fade as these totter to their fall. In the midst of revolution and great trial, embittered by rancor and hate engendered by the discussions on this subject, the Southern people have neither time nor inclination to look into the future; but the time will surely come when slavery will exist, if at all, only nominally even in the cotton States. Every generation hereafter, as heretofore, will rise upon the stage of action imbued with new ideas, new determination, the arbiter of its own destiny. The living may establish wise precedents, but they cannot bind the coming generations. Constitutions, laws, and customs will all be broken through if they stand in the way of future tyrants or are found inadequate to the demands of the advanced state of society. The great increase in population in the South which will surely follow the restoration of peace will begin the encroachment upon the vast cotton fields of the Confederacy. The planters finding it profitable to sell their lands, these will be portioned out to proprietors of less wealth and fewer slaves until all the large cotton plantations will gradually disappear. Slaves will also gradually decrease in value by this influx of white population, until in the course of three or four generations they will be of little value except as house servants, and thousands of the owners will dispose of them to invest the capital they had been accumulating for generations in manufactories and other more profitable employments.

Shall we close our eyes to these things because we fondly cherish the institution of slavery? It would be folly. Our forefathers endeavored to look into the future even in the midst of a devastating revolution, and in the Constitution they gave us the model of our own attests the wisdom with which they laid the foundation of the empire of liberty in America.

Let us follow their example. Let us not shut ourselves up in the narrow compass of slaves and cotton—ourselves slaves to the merchants of Manchester, and dependent upon those we affect to despise. Let us make broad our boundaries, and if empire has departed from the old Constitution under Puritan rule, let it revive and find greater glory under the new—purified, reinvigorated, and defended by the descendants of the Cavaliers. Let the Northwestern States, then, if they make application, be admitted as members of the Confederacy; and why should they not? Is there anything incompatible in their manners, customs, or institutions? Ohio, Indiana, and Illinois, like Kentucky, were settled mostly by Virginians, and the ruling population of those States at this day are descendants of the Old Dominion. They were deceived and misled into this war, as they now acknowledge, by the fanatics of New England, who assured them that the rebellion in the South was only the scheme of a few secessionists to subvert the Government and destroy the Union. From the very beginning they repelled the charge that they were fighting for the freedom of the slaves, and vowed as bitter hostility to abolitionists as the slave-holders. Was their love for the Union a crime? Then what American does not plead guilty? We all loved the Union once. Shall they be punished because their integrity proved greater than

ours? It must be remembered that it was our rights the abolitionists violated, not those of the Northwest. If they loved the Union longer than we did it was because they did not have our reasons to fall out with it. They were told and believed that we brought on the war, and they must defend the Government. What patriot could refuse, himself having no cause of quarrel with the Government? If they are guilty of a crime against the South for this, all peoples on the face of the earth are guilty of the same crime. The English have had many civil wars, and for centuries carried on war against Scotland, Ireland, and Wales, and yet to-day they are all harmonious under one government. It was more than 100 years that the numerous provinces of France warred against each other before they were finally united under the present empire; and the same may be said of every nation in Europe. What, then, can be objected to the Northwest? Is it feared that those States being free will plunge the Confederacy again into war on the subject of slavery? I answer that every revolution settles the question upon which it is fought, and the present war will determine for the Northwest, and all the rest of the world, whether or not slavery is to continue unmolested in the Confederate States. If it survives the shock of this war, all the Puritanic fanaticism of Christendom will not be able to shake it again, and the Northwest, even if ever so inclined, will have too much sad experience to reopen a dangerous wound. Their admission into the Confederacy would not only break the backbone of the North, and render that Nation forever impotent to harm the Confederacy, but our own strength and influence would be doubled, while their geographical position would forever debar the North from further territorial acquisition.

The Northwestern States are the very heart and center of the bacon and grain-growing region of North America, and the South needs those States to complete her power. The Southern States grow cotton, sugar, and rice, but where are they to obtain flour and bacon? Tennessee and Kentucky produce both these, but these States engage chiefly in raising stock, which the Atlantic and Gulf States can no better dispense with than flour and bacon. Shall we refuse the application of those States and import flour and bacon from foreign states, upon which duties must then be paid, or shall we admit them and thus secure their vast resources within our own dominions? With the acquisition of the Northwest the power of the Confederacy to make war at home or abroad would be unlimited, while all the Western Territories now claimed by the old Union would fall into our hands without a struggle. Another consideration entitles this subject to the serious reflection of the Southern people. All are anxious to secure Kentucky to the Confederacy; and yet so intimately is Kentucky connected with the three States forming her northern boundary, Ohio, Indiana, Illinois, that it is matter of serious debate among her citizens whether she will dissolve her connection with those States even to avail herself of greater benefits to be derived from membership in the Confederacy. It is this alone which has kept her back from co-operating with the South. I do not know what questions the Confederate Administration and its Congress debate in their numerous "secret" sessions; but if they are wise they will give serious consideration to these topics and not suffer anything to pass unnoticed that is calculated to promote the welfare of the Nation and add to the glory of its Constitution.

CONFEDERATE.

[Indorsement.]

Your Excellency may find some things in this circular worthy of your consideration.

THE AUTHOR.

RICHMOND, VA., *April 16, 1863.*

THE HOUSE OF REPRESENTATIVES:

Having approved and signed a bill which originated in your body entitled "An act to allow minors to hold commissions in the Army,"* I deem it due to many meritorious officers in the service to make a short explanation.

The bill, in my opinion, is only declaratory of the pre-existing law. No prohibition existed, prior to its passage, against the issue of commissions either in the permanent or Provisional Army to persons under twenty-one years of age. Many of the commissioned officers of the Provisional Army have attained high rank by election and promotion before attaining the age of twenty-one years.

The only objection, therefore, that I could entertain to signing the bill in question was based on the apprehension that the approval of an act allowing commissions to be issued to minors "from and after the passage of the act" might imply that the commissions heretofore issued to juniors are invalid.

It seemed, however, more proper to sign the act, which in itself was unobjectionable, and to address to you this explanation, which will obviate, it is believed, the only ill consequence that could flow from the passage of the law.

JEFFERSON DAVIS.

AN ACT to allow minors to hold commissions in the Army.

The Congress of the Confederate States of America do enact, That from and after the passage of this act, commissions in the Army of the Confederate States, and in the Provisional Army of the Confederate States, may be issued to persons under twenty-one years of age, except in the case of officers who are required by law to give bond.

Approved April 16, 1863.

AN ACT for the relief of the Brunswick and Albany Railroad Company.

Whereas, the Brunswick and Albany Railroad, in the State of Georgia, has been run and used as a military necessity, from the month of September, eighteen hundred and sixty-one, to the present time, and no charge for the use of the said road has been made by the proprietors thereof against the Government: Therefore, to preserve the said railroad from being broken up or destroyed,

The Congress of the Confederate States of America do enact, That the stock and bonds of the Brunswick and Albany Railroad Company, returned, or which may be returned to the receiver at Savannah, as property of alien enemies, and sequestered, or which may be sequestered by decree of the proper courts, shall not be sold at public auction, nor otherwise disposed of during the continuance of the war, but

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*Next, *post*.

shall, after the ratification of peace between the Confederate States and the United States, be appraised in the following manner: One appraiser shall be appointed by the judge of the district court of the Confederate States for the district of Georgia; another shall be appointed by the Board of Directors of said company; and these two shall appoint a third, and their appraisement shall be made under oath and in writing, and filed with the clerk of the said district court. When the said appraisement shall be made, the said company shall have the privilege of paying, within ninety days thereafter, to the receiver at Savannah, the amount of said appraised value; and upon such payment, the possession and title to the said stock and bonds shall vest in and be transferred to the said company: *Provided, however*, That by accepting the relief hereby granted, and upon payment of the said appraised value, the said company shall be held and taken to have relinquished all claim against the Confederate States for compensation for the use of their said railroad.

Approved April 16, 1863.

AN ACT for the relief of certain officers and soldiers from the State of Missouri.

The Congress of the Confederate States of America do enact, That the sum of seventy-five thousand dollars be, and is hereby, appropriated out of any money in the Treasury not otherwise appropriated, to pay the officers and men of the Missouri State Guard (after their transfer to the Confederate States) who, from imprisonment, absence, and other accidental causes, have not received their pay, under such rules and regulations as the Secretary of War may prescribe.

Approved April 16, 1863.

GENERAL ORDERS, No. 44. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, April 16, 1863.*

The following acts having been duly approved by the President, are published for the information of all concerned:

AN ACT to prohibit the punishment of soldiers by whipping.

The Congress of the Confederate States of America do enact, That from and after the passage of this act, it shall not be lawful for any court-martial or military court to cause any soldier in the service of the Confederate States to be punished by whipping, or the infliction of stripes upon his person; and that all laws and customs contravening the provisions of this act be, and the same are hereby, repealed.

SEC. 2. That article twenty of the Articles of War be so amended as to read as follows: "All officers and soldiers who have received pay, or have been duly enlisted in the service of the Confederate States, and shall be convicted of having deserted the same, shall suffer death or confinement in a penitentiary, with or without hard labor, for a period not less than one year, or more than five, or such other punishment, not inconsistent with the provisions of this act, as the court-martial or military court may determine."

Approved April 13, 1863.

AN ACT to exempt contractors for carrying the mails of the Confederate States and the drivers of post coaches and hacks from military service.

The Congress of the Confederate States of America do enact, That the contractors for carrying the mails of the Confederate States shall be exempt from the performance of military duty in the armies of the Confederate States, from and after the passage of this act, during the time they are such contractors: *Provided*, That no more than one contractor shall be exempt on any one route, and that no

more than one member of any firm of contractors shall be exempt, and no contractor on any route of less than ten miles in length and on which the mail is carried on horse, shall be exempt under this act; and if any one or more members of any such firm be exempt, from age or other cause, from the performance of military duty, the other member or members of such firm shall not be exempt by this act, on account of being mail contractors: *And provided further*, That no person to whom a contract for carrying the mails may be transferred, with the consent of the Post-Office Department, after the passage of this act, shall be exempt from military service on that account.

SEC. 2. That the drivers of post coaches and hacks for carrying the mails on all routes where the weight of the mails requires that they should be carried in coaches or hacks, shall be exempt from military service in the armies of the Confederate States, from and after the passage of this act, so long as they continue to be employed as such drivers: *Provided*, The contractor by whom any such driver is employed, shall take and subscribe an oath, to be furnished to the enrolling officer, that the weight of the mails on his route requires the use of coaches or hacks for their conveyance, and that he has not a greater number of drivers employed in his service than are indispensable to enable him to fulfill his contract for carrying the mails, and that he will not, while a contractor, employ a greater number of drivers than may be indispensably necessary for that purpose, and that he will give notice to the enrolling officer when any such driver ceases to be in his employment.

Approved April 14, 1863.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 45. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, April 18, 1863.*

I. The issue of whisky to troops, except in cases of extraordinary fatigue and exposure, is prohibited. Commanding officers are enjoined to see that this prohibition is enforced.

II. Paragraph IV, General Orders, No. 32, April 30, 1862, is so modified as to allow only a two-horse wagon and team to each regiment in the field, to be appropriated to the transportation of hospital supplies.

By order:

S. COOPER,
Adjutant and Inspector General.

RICHMOND, *April 20, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: Expecting to leave here day after to-morrow for Charleston, S. C., to take charge of the management of the business which has been inaugurated between the Confederate States and Messrs. Alexander Collie & Co., of London, and Crenshaw & Co., of this city, by Hon. James M. Mason, commissioner of the Confederate States at London, under your auspices, I have the honor to desire information upon the following points, which is necessary to be obtained for the proper conduct of said business:

First. To whom shall goods belonging to the Confederate States and imported under the above arrangement be delivered?

Second. From whom will the cargoes of cotton be obtained, and what notice will be necessary to have the cotton ready for the vessels?

Third. Whom shall I pay for the one-fourth of each cargo of cotton exported on the account of Messrs. Collie & Co. and Crenshaw & Co.?

Fourth. Who will decide whether the Confederate States will take the whole or any part of the goods imported by Collie & Co. and Crenshaw & Co.?

Fifth. Have all the necessary arrangements been made and the proper directions given for the goods to be imported by Messrs. Collie & Co. and Crenshaw & Co. to be allowed to enter and be discharged free of duty? If not, will they be made and given at once?

Sixth. From whom can coal be obtained for the steamers?

Seventh. Does the Government desire to give any directions about insurance against sea risk from and sea risk and capture to the islands?

Eighth. To whom shall the goods bought by Maj. J. B. Ferguson, quartermaster, referred to in the letter of William G. C[renshaw], be delivered on arrival?

Ninth. In addition to the above information be pleased to give me in another letter authority to ask of all authorities of the Confederate States all assistance in their power, compatible, of course, with a due regard to all other interests of the Confederate States. It may be necessary, under some circumstances, that I should pass without and within our lines. I therefore respectfully request a pass in the usual form for that purpose as on special service.

I have the honor to be, with the highest esteem, your obedient servant,

JAMES R. CRENSHAW.

[Indorsement.]

Respectfully returned to the Secretary of War.

The accompanying letter answers the questions pertaining to this office. The seventh question is, I suppose, to be answered in the negative, as the Government desires, no doubt, to be its own insurer.

J. GORGAS.

[Inclosure.]

ORDNANCE BUREAU,
Richmond, April 20, 1863.

JAMES R. CRENSHAW, Esq.,
Richmond:

SIR: In answer to the first, second, third, fourth, and sixth of the accompanying questions I have to state J. M. Seixas, esq., appointed agent of the War Department at Wilmington and Charleston, will receive instructions in relation to all matters embraced therein. Mr. Seixas is now at Wilmington, but his duties under competent supervision at Charleston will embrace all importations made for the War Department on its own account, and he has received already instructions generally as to the matters touched in your questions.

Very respectfully,

J. GORGAS,
Colonel, Chief of Ordnance.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 47. } *Richmond, April 21, 1863.*

The following regulations respecting the rights of "partisan rangers," under the act of April 21, 1862, are published for the information of all concerned:

1. The act of April 21, 1862, provides that for any arms and munitions of war captured from the enemy by partisan rangers and

delivered up at such place as may be designated by the commanding general, the rangers shall be paid their full value in such manner as the Secretary of War may prescribe.

2. The terms "arms and munitions of war" will include all small-arms and artillery, ammunition, infantry accouterments, and cavalry equipments, and also cavalry and artillery horses. The animals referred to will be appraised by competent officers, under the orders of the commanding general, and will be paid for when delivered up by any quartermaster, who will take receipts from the parties entitled to receive compensation, and afterward account for the property, as in the case of an ordinary purchase. The rest of the property specified will be paid for in accordance with paragraph II, General Orders, No. 20, current series.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 48. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, April 22, 1863.*

I. The following act of Congress having been duly approved by the President, is published for the information of all concerned:

The Congress of the Confederate States of America do enact, That any officer, non-commissioned officer, or private, now in the military service of the Confederate States, who has been elected or appointed since entering said service, or who may hereafter be elected or appointed, a Senator or Representative in Congress, or in any State Legislature, or judge of the circuit, district or superior courts of law or equity in any State of the Confederacy, district attorney, clerk of any court of record, sheriff, ordinary, judge of any court of probate, collector of State taxes (not to exceed one for each county), or parish recorder, upon furnishing the Secretary of War with evidence of such election or appointment, if an officer, his resignation shall be promptly accepted; and if a non-commissioned officer or private, he shall be honorably discharged by the Secretary of War.

Approved April 2, 1863.

II. The evidence required as to the elections referred to will be a certificate of the fact from the clerk of the county or parish or other officer whose duty it may be to certify to such elections, under the laws of the State, in manner and form required by said laws. This certificate must accompany the resignation through the usual channel of communication, as prescribed in General Orders, No. 3, and the Army Regulations.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., April 22, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I herewith have the honor to hand you the paper referred to in our conversation yesterday and read before the railroad conference just adjourned. It exhibits more fully than does the report of that conference the reasons for adopting some of the measures recommended in the report, while it also explains the reasons why I cannot, with every desire to do so, participate in the sanguine expectations expressed in the report, or indeed in any hope that the railways

in this Confederacy, which are necessary to the operations of its armies, can be supplied with the rails necessary to their maintenance in use without much more extensive and efficient measures on the part of the Government than those suggested in the report. The accompanying printed copy of resolutions adopted by a general convention of the railroad officers of the Confederate States in February, 1862, with the fact that to this day they have never been put into execution, confirms this apprehension and gives serious reason to fear that the reliance on relief from individual or corporate enterprise now expressed will prove equally fallacious now, when the Confederacy has too much at stake—perhaps its existence—to incur any risk of such a miscalculation.

With high respect, your obedient servant,

P. V. DANIEL, JR.

[Inclosure No. 1.]

The undersigned having been invited by the Honorable Secretary of War to consult with him as to the best means of increasing the efficiency of the railroads of the Confederate States in supplying the wants of the Army and country, and of arresting the deterioration and providing and applying materials for their repair and reconstruction, respectfully make, in response to that invitation, the following suggestions:

I. For the purpose of at once relieving the railroads of the overwhelming amount of transportation now required of them, and of very largely adding to the means of transportation available to both the Government and to citizens, the Government should at once, and as rapidly as possible, have built and placed on every canal, river, or other navigable water the greatest practicable number of boats, bateaux, lighters, or vessels of any kind which can be most speedily and cheaply built and will be suitable to the navigation of the waters on which they are to be used. These channels of navigation penetrate into and traverse sections of the country most of all abounding in supplies of all kinds most needed for the Army, including forage, commissary stores, coal, and iron. Among the great advantages of this means of transportation are these: On railroads only a limited number of trains can be run at a time. On the water there is no practical limit to the number of boats, which require no machinery and often no horses or mules, consuming forage. Had this policy been adopted two or even one year ago immense additions would have been made to the supplies for both the Government and the people, while the railroads would have been able to transport other large quantities which could not be brought by water, which often require more rapid transportation, or which have been spoiled or lost from being delayed. Instead of this being done boats and vessels usually employed in these channels of navigation have been taken by the Government to be sunken in river channels or for other purposes of defense, and have never been replaced by individual enterprise, which was deterred both by want of men and materials engrossed by Government and by the apprehension of repeated seizure of their boats if built. In the case of the James River and Kanawha Canal alone very large quantities of all kinds of supplies, including coal and iron, have been withheld from market and the use of the Army by the last-mentioned cause.

II. Government warehouses or shelters of some kind, however temporary, if only of canvas, guarded by soldiers, at suitable points convenient for storing and distributing army supplies are indispensable

to any efficient system of transportation. The absence of these has throughout this war not only very greatly delayed and diminished the efficient transportation on railroads whose cars are detained as temporary store-houses while they might be transporting further supplies, but has also cost the Government many times the cost of such warehouses in supplies stolen, lost, or spoiled from exposure to weather. Incidental to this is the urgent necessity for adopting and rigidly and invariably enforcing some more stringent army regulations requiring all quartermasters and commissaries at all hours and seasons of weather promptly to load and unload railroad cars and remove supplies from railroad stations, and furnishing them with the requisite force of men, with authority to make them work, and other appliances where needed. The stations and usual force of men belonging to railroads are totally inadequate to accomplish half what is in this way needed for the Army, many times exceeding any business for which they were calculated or adapted, or which they can have on the removal from them of the Army.

III. Let it be made a military offense, and as such be rigidly and severely punished, to use or consume [as] fuel for locomotives crossties or other materials for railroad operations or repairs. This practice has repeatedly very nearly caused a total suspension of transportation on several railroads, besides subjecting them to very considerable losses not easily repaired.

IV. When engines or cars belonging to one railroad are unnecessarily detained on another railroad to which they have been sent to transport troops or supplies for the Government, let the Government by such fact of detention become indebted and pay to the railroad company owning such engines or cars for their line at the rate per diem of $25 to $50, according to size, for each engine, $25 for each passenger car, and $5 for each freight car so detained from the day when such unnecessary detention shall commence to that on which it shall terminate, inclusive; the amount so paid to be chargeable to and by the Government collected from the railroad company or Government officer who shall have detained the said engines or cars when they shall next settle any accounts with the Government. This arrangement will remove very much, if not all, the reasonable reluctance now felt by railroad companies to allow their machinery and cars to be carried to other roads, and secure their prompt return for further use and necessary repairs to those who are interested in keeping them in the best condition and making the greatest use of them. Any detention beyond the time required for the transit and twelve hours for loading and unloading should constitute unnecessary detention.

V. For the maintenance of the railroads the greatest and most urgent need exists for iron rails, wheels and axles, tires, springs, and locomotives, with materials for their repairs. To supply rails during the existence of the blockade will give full employment to not less than four and probably five rolling mills of the largest size, requiring not less than six months to erect them, and consuming not less than 5,000 tons of iron monthly, of which 3,000 tons may consist of old rails to be rerolled, if transportation can be had for them. To supply the residue of this iron there must be a large increase of the yield of the mines and furnaces in the Confederate States contiguous to railroads, or, much better, to water navigation. But before this could be done very large additions to the supply of iron could be obtained immediately from a source which is everywhere accessible and available. Let the Government through the public newspapers appeal to the citizens

everywhere to collect and contribute for any price which the Government can afford to pay—which would greatly exceed what it has ever been worth before—all the scrap-iron, wrought or cast, which can be found on the premises of each family. Let those in the country bring it to the nearest point of water or railroad transportation used by the Government, or to the nearest inland point visited by or easily accessible to the wagons of the Quartermaster's Department, and let them there find quartermasters or other agents of the Government authorized to purchase and pay for this iron, either permanently stationed there or visiting each point on days of which previous public notice should be given. In cities, towns, and villages where Government wagons can be employed let sufficient previous notice be published that on certain days those wagons, accompanied by a Government agent with means of weighing and money to pay, or blank forms of receipts for the iron, will call on each householder in certain wards or streets for such iron as they may have to dispose of, and let the wagons have on them a conspicuous sign indicating their object, with a bell or horn or other signal to announce their coming and avoid unnecessary delays. It is confidently believed that the quantity of iron which can be procured by this plan vigorously executed would very greatly exceed the calculations of the most sanguine. Some imperfect conception of it will be found by any experienced farmer or housekeeper who will consider how many broken or worn-out plows, plow-points, hoes, spades, axes, and other farming implements, and how many broken stoves, household and kitchen utensils he has seen lying useless and encumbering his premises, because hitherto their market value as old iron did not compensate for the labor and trouble of collecting and transporting them to market, though now worth to the Government not less than $5 for every 100 pounds. Into none of these enterprises will individuals engage with the contingency before them of losing heavily on an investment of capital made at the existing exorbitant prices for all labor and material, and of being at once deprived of a market for their work on the raising of the blockade by the competition of imported rails. The establishment and working of these rolling-mills is an obvious necessity to the success of our armies, as essential to the maintenance—in some cases for even the ensuing year—of many important railroads. And yet it is the most difficult problem we have now to solve. Could a sufficient number of railroad companies even now be induced at once to give a valid legal obligation to individuals or corporations engaging in this work that all the rails needed for their roads for a number of years (say even five) shall be purchased from those undertaking their manufacture now in the Confederate States at prices bearing a stipulated ratio (say two to one) to the market price of pig-iron or of old rails prevailing at the date of each purchase, it is possible that capitalists might be found willing to embark in these manufactures.

But the numerous other investments affording at this time more certain and larger profits, with little or no risk or expense to capital, would render such a co-operation and arrangement among railroad companies, if at this time possibly attainable, too unreliable a resource to be resorted to now by the Government in its present urgent need, and more than a year since repeated efforts to secure such a co-operation and arrangement wholly failed. No single railroad company can or will undertake such an enterprise, and no joint management and ownership of such manufactories by a number of such companies

could be harmonious, economical, or in any respect practicable. No alternative is perceived to the establishment by the Government itself of these rolling-mills, from which it can furnish rails for the maintenance of such railroads as it may deem essential as military roads to the successful movement and supply of its armies. To this deliberate conviction we are forced, in full view and after mature consideration of all the objections and difficulties, political and practical, which are incident to this plan. Of these, at first view, the constitutional authority of the Government to adopt this plan will to some appear the most serious, if not insuperable, but if, as has been readily conceded in theory and in practice, it be clearly within the scope of that authority that for military purposes the Government should when necessary take possession of railroads; destroy and reconstruct their roadways, bridges, warehouses, and other structures, providing and applying all requisite materials for such reconstruction; make, repair, and put in use on any railroads in the Confederate States locomotives and cars belonging to the Government, or impress and take the equipment of one railroad to use on another, and perhaps remote one—in what sense is it a greater exercise of constitutional power to provide and supply the rails for maintaining the roadways of these railroads essential to the transportation absolutely needed for our armies? All these powers are alike necessarily incident to the authority and duty successfully to carry on the war for our existence and independence.

Nor does the question of compensation to be paid to the Government for these improvements necessary to their maintenance present any difficulty which may not be readily solved by plain principles of practical equity. Let them be charged with either the actual cost to the Government, or what the actual cost would have been to them of such improvements furnished at the same dates and localities by others, and neither party will have reason to complain. If the Government with all the advantages it possesses can be proven to have incurred unnecessary expense beyond what would have been the cost of these improvements furnished by others, it is but reasonable it should lose the excess, looking for compensation in the public importance to itself of the work. On the other hand, no railroad company has the right, if it was so disloyal as to have the wish, to avoid such an expenditure needed for its maintenance, because its ultimate profitableness may be doubtful, although this may be made certain by a just and liberal rate of tolls for Government transportation. The disposal of these rolling-mills, and the possible loss resulting from their disposal by the Government after they shall be no longer needed for supplying rails as a military necessity to railroads, will be another grave objection urged by some to this plan, but is believed to be far more of a chimera than a reasonable apprehension. Upon the restoration of peace there will be many causes contributing to maintain for a long time the price of rails at very high rates. Several thousand miles of railroad, now either destroyed, worn out, or in the hands of the enemy, must inevitably be immediately reconstructed, and very extensive additions to existing lines of railroad will become instantly equally necessary both to the commercial interests and the public defense of the Confederate States. The existing war will leave not only nearly or wholly suspended the manufacture of rails in the Confederate States, but by exhausting the mechanical labor in the United States and depriving the manufactories there and in Britain for so long a time of the stimulus, support, or even hope of a market, will

leave the aggregate stock of rails of all markets accessible to us much less than it has been in ordinary times, when the demand in the Confederate States was many times less than it will be immediately on and for a long time after the restoration of peace. The import duties on rails which will inevitably then be imposed, both for the purpose of excluding Yankee manufactures and of creating them on our own soil, where we have been and are now suffering so much embarrassment and peril for want of them, will add to the great impulse which will carry into the manufacture of rails very large amounts of capital now withheld from it by the prevailing rage for more lucrative but less safe war speculations, which will then have subsided, and by the difficulty, if not impossibility, of procuring the requisite material or men for such work, which will then both be liberated from the all-engrossing demands of the Army. These causes will inevitably create a great demand for rolling-mills, and those which are already completed and in operation must afford every advantage for profits during the urgent and earliest scarcity and demand for rails over those which will have to be then commenced, erected, and furnished with machinery and put in operation. Besides, comparatively slight alterations of these mills will adapt them in the hands of either the Government or of individuals to the manufacture of boiler-plate, gun-boat plates, bar-iron of every description, and other supplies equally needed for both Government and commercial purposes, so that there is little or no reason for apprehending any serious loss after the restoration of peace to the Government on its investment in these rolling-mills for the maintenance of military transportation during the war. But were it otherwise, and supposing some pecuniary loss should accrue to the Government on such investments, the question still forces itself upon its decision, and inevitably must now be decided, whether the maintenance of necessary military transportation and the success of our armies with this risk is not worth more to us than disaster, defeat, and perhaps subjugation for want of that necessary transportation without that risk of small pecuniary loss. We may shut our eyes to and attempt to ignore, but we cannot avoid this alternative. With an enemy all around us, possessing on land an unlimited network of railroads concentrating on our frontiers, exclusively occupying our sea-coasts and harbors, and penetrating every part of our territory with their steam navigation of our rivers, how shall we contend with them if we are to depend for the transportation of our armies, ordnance, and all army supplies on the inadequate and tedious transportation of horses and mules, of which the country is now so much exhausted, over miry and often impassable roads cut up by unusual use and never repaired? Such a contingency is too disheartening to contemplate; and yet without the prompt, liberal, and efficient action of the Government to avert it, the recurrence of the seasons may not be predicted with more certainty than its early fulfillment.

VI. To the problem of furnishing necessary locomotives, wheels and axles, springs, tires, and other materials for the equipment and machinery of railroads, much of the foregoing remarks are equally applicable, and therefore will not here be repeated. It is true that many of them might be made and furnished by the private manufactories now established, if the Government would relinquish wholly, or even partially, its engrossing employment of all such establishments exclusively in manufacturing articles for purely military and naval uses, and for those purposes would establish its own mines,

forges, foundries, and manufactories of iron. Even of rails, a very considerable quantity would have heretofore been made for railroads but for this exclusive monopoly by the Government of all the mines and manufactories of iron in the Confederacy, and they might now be made if the Government had its own rolling-mills for its boiler plate, bar iron, &c., instead of engrossing those of individuals. But the deterioration and destitution of our railroads and of their equipments have now greatly exceeded the point at which they could have been relieved by such expedients and imperatively demand much more extensive and efficient measures of relief. Two or more extensive foundries and workshops established and maintained by the Government for the manufacture and supply of these materials and equipments for railroads at cost prices are absolutely needed to keep up the machinery upon them so as to be available for the necessary transportation for our armies.

VII. But for the establishment or operations of any such manufactories of either rails or machinery mechanics are needed whom it is now impossible to procure perhaps in the Confederate States and certainly without resorting to those enrolled in its conscription and armies. To supply this, perhaps of all the most important and urgent want of our Government and people, to any extent at all commensurate with existing necessities, it will be necessary to import from Europe citizens and skillful machinists. This can readily be done by the Government through its agents in Great Britain and France, who may assure to such mechanics a free passage on ships owned or hired by Government and constant employment at lucrative wages after their arrival here; 500 to 1,000 such at the least might be most advantageously imported and employed. All the railroads and all the manufactories in the Confederate States on which they are dependent for their supplies have been very largely deprived of workmen, not only by the ruinous competition of the Government workshops, but also by the enlistment and conscription in the Army of such as were capable of military service, and it will be absolutely necessary, for the maintenance in operation and use even in its present deteriorated condition of the machinery of our railroads, that until other mechanics can be procured from abroad details from the conscription and from the Army of any such as may be now found there should be most liberally made. The number of men so detailed would be too small to materially or even perceptibly weaken our armies in the field, whose ranks could be very largely recruited from the vagrants, American and European, who now infest our cities devouring our subsistence, demoralizing our society, and endangering our peace and safety, while each man so detailed would perform services more valuable to the Government and armies of the Confederacy than ten men of his capacity could perform in the ranks. The neglect and violation of this obvious policy has constituted a chief—perhaps the chiefest—cause of the present dilapidated condition of our railroads and their machinery.

[Inclosure No. 2.]

RESOLUTIONS proposed to railroad conventions held in Richmond December, 1861, and February, 1862, and adopted with some modifications, but never put into general execution.

Resolved, That in order to promote the manufacture of iron rails and other railroad supplies essential to the maintenance of railroads in the Confederate States, we hereby pledge the railroad companies

represented by us and recommend to others in the Confederate States to adopt the following measures:

First. That to any person or persons who shall first within —— months from the 1st of January, 1862, establish and put into successful operation a rolling-mill capable of manufacturing not less than —— tons of good iron T-rails per month of a quality equal to those heretofore used by our companies, and who shall furnish such rails, subject to inspection and rejection by an inspector mutually agreed on if not of the required quality as aforesaid, and warranted to last not less than —— years, each of our said companies will pledge itself and contract with such person or persons that it will annually, during —— years from the 1st of January, 1862, purchase of such person or persons, to the extent that they can supply them, such rails for not less than one-fifteenth of the length of its railroad, paying for the same in old rails to the extent of not less than one-half the number of tons of new rails so purchased, and the residue in cash at the rate of one ton of new rails for two tons, or their market value in cash of the old rails, of or $—— per ton, added to the market value of the old rails for each ton of new rails, as the manufacturer may elect. That should more than one such mill be put into successful operation in any one State within the time specified, the companies in that State will purchase of each such mill an equal portion of the quantities before mentioned of such rails: *Provided*, That no company shall be under any obligation to purchase at a more distant mill rails which it can buy at a nearer one.

Second. That to any person or persons who shall establish and put into successful operation within —— months from the 1st of January, 1862, manufactories of any other railroad supplies, the said companies pledge themselves, and will contract each with such person or persons, to purchase of them annually during not less than —— years, or during the continuance of the existing war and blockade, such supplies, which shall not be less in quantity, if of equal quality, than they have each purchased during the year 1861, at a price exceeding by not less than —— per cent. nor more than —— per cent. the manufacturers' prices of such articles on the 1st day of July, 1860. That after the termination of the existing war the said companies will purchase the said articles of the same persons at prices which shall, during —— years from the 1st day of January, 1862, be not less than 7 per cent. nor more than —— per cent. more than the aggregate market prices (including all import duties and charges) of like articles then imported into the Confederate States. Should more than one manufactory of any of such railroad supplies (other than rails) be established within the time above limited in the Confederate States, each company shall give preference, first, to any such manufactory first established in the same State with such company; and secondly, to the nearest manufactory which shall be first established in any other Confederate States.

Third. That to any such person, persons, or corporations who shall bona fide commence the manufacture or the erection of buildings or machinery for the manufacture of iron rails, or any other railroad supplies, within the Confederate States within —— months from the 1st day of January, 1862, who shall apply for such loans, and shall for its repayment or satisfaction tender to the company, or companies making it an adequate security or lien on property, the companies here represented, or hereafter uniting with them, will advance in money or materials, as provided in the foregoing resolutions, the

amount of its desired purchases for and during not less than one or more than two years from the date of such advances, one-half of such advances to be payable on the tender of such security and the residue to be payable on the actual bona fide commencement of such manufacture.

Fourth. That to maintain the supply to each of our companies of such articles as shall be necessary to them before they can be manufactured here, and to procure those materials for repairs and manufacture which cannot be procured in the Confederate States and are immediately needed, the companies here represented, and others who may desire to unite with us, will send to Europe a competent agent, furnished with the necessary funds, who shall purchase for each company such articles as it may order and supply the means of purchasing, at such prices as such agent may deem necessary to pay to insure their early shipment to the Confederate States.

Fifth. That such agent shall be appointed by an executive committee selected from the officers of the companies here represented and now to be chosen by the meeting, to whom he shall give bond with security, to be approved of by them, for the due application under their instructions of the funds to be placed in his hands, who shall for that purpose receive from each of the said companies the funds supplied for their respective importations, and themselves give bonds to such company for their due application of the same, and who shall be charged with the entire and confidential control and management of such importations, of the proper distribution thereof, and of all matters incident thereto; and that all such orders shall be furnished to the said committee within —— days from the 1st of February, 1862.

Sixth. That the amount of purchases ordered for each company shall be equal to what they will need of such supplies during the two years succeeding the 1st of January, 1862, and shall be not less than $100 per mile of the length of its road.

Seventh. That the prices to be paid by each company for the articles ordered by it shall be ascertained and determined by the executive committee by adding to the prices first paid for them abroad by the said agent the expenses of importation, including import duties (if required by the Government), and not including in such expenses of importation the proportion which each company may be required to bear of any loss which may be sustained by marine disasters or the public enemies. Any loss by marine disaster or the public enemies of any of the articles purchased by any of the associated companies shall be borne by all of the said companies, respectively, in the proportions which the purchases so made for each of the said companies shall bear to the amount of all the purchases made for all the said companies.

Eighth. That such agent shall receive for his compensation a commission to be determined by the executive committee, and regulated by the extent of his purchases.

Ninth. That the executive committee be authorized to employ a clerk and accountant to settle accounts with the several companies concerned.

Tenth. All articles imported or manufactured under the foregoing resolutions during the existing war shall be transported over the railroads of the companies here represented for tolls, which shall not exceed the cost to them of such transportation, provided the companies for whom they are transported shall agree to transport upon the same terms articles designed for the companies here represented.

A plan for immediate results toward restoring railroad track and machinery.

First. Ascertain by rapid inspection the actual wants of each furnace, forge, and rolling-mill—in labor, supplies, fuel, and material.

Second. By concert of action Government and railroad to arrange to work each furnace, forge, and mill to a point as near its maximum capacity as the present resources of the country will permit. Especial attention to be given to labor, detailed or conscript, upon the part of the Government, and upon the part of the railroads to promote transportation of supplies and iron made.

Third. Classify upon the basis of relative necessity the most pressing wants of the Government, army, navy, and railroad transportation, giving precedence to axles and engine tire. Adhere to this classification and apportion under it all iron received.

Fourth. Ascertain the most pressing deficiencies of track, remove iron from railroads to be designated by the Secretary of War, and arrange a prompt return of the worn-out iron to rolling-mills.

Fifth. To collect and forward scrap iron to be puddled and rolled in gun-boat plates, to an amount to be designated by ———.

Sixth. To intrust to two officers, selected for special qualifications by the railroads and Government, the execution of all details of inspection, supply work, and distribution, all cases of divided opinion to be arbitrated through the chief of Engineer Bureau.

Respectfully submitted.

I. M. ST. JOHN,
Niter and Mining Corps.

RICHMOND, *April 22, 1863.*

Hon. J. A. SEDDON,
Secretary of War:

SIR: I have the honor to present you herewith a report adopted by the representatives of railroads, and a copy of certain resolutions by them passed at a meeting yesterday. The report of resolutions embody the views entertained on the subjects which you presented for consideration.

I have the honor to be, your obedient servant,

R. R. CUYLER,
Chairman.

[Inclosure No. 1.]

The committee whose duty it was made to consider the communication of the Secretary of War with the accompanying report and to report at 4 p. m. of this day what action shall be taken, beg leave to report that the representatives of the railroad companies now assembled at Richmond upon the invitation of the Honorable Secretary of War, are deeply impressed with the necessity of adopting such measures as will on the one hand secure for Government speedy and safe transportation of troops, munitions of war, and supplies by the railroads of the Confederacy, and on the other hand the proper maintenance of the railroad tracks, motive power, and machinery owned by the railroad companies.

For the purpose of securing and accomplishing these great interests, which are or ought to be so intimately connected, the committee respectfully recommend the adoption of the following measures:

First. That there should be established under the order of the Secretary of War, or under the authority of an act of Congress, a bureau attached to the Department of War to be called the railroad bureau,

and to be placed in charge of Col. William M. Wadley, assistant adjutant-general, with four or more assistants, said assistants to be located at central convenient points in different sections of the country. That it be made the duty of such bureau, through its chief and assistants, to superintend all Government transportation, but not to have the control or direction of the motive power or cars by which such transportation is made; to agree with each railroad company in the Confederacy upon rates of passage for troops, and for rates of freight for the establishment of such schedules as may be found necessary and proper for the speedy transportation of army, navy, and other Government supplies; to make arrangements for the comfortable accommodation of sick and wounded officers and soldiers, and generally to protect and preserve the interest of the Confederacy in the premises, and to audit all claims arising under such contracts. That all orders or requests for Government transportation of every kind shall be made under such rules and regulations as may be established by the railroad bureau.

Second. That until such arrangements and agreements be made by the railroad bureau with the railroad companies, those companies shall be paid the rates of passage and freight established at the railroad meeting held at Augusta, Ga., on the 15th day of December last (except when special contracts have been made), and that the companies shall, as they have always hitherto done, give precedence to Government transportation over that of individuals.

Third. That the several railroad companies be supplied through the railroad bureau with all such tools and materials as the Government can, consistently with the wants of the Army and Navy, from time to time furnish at fair prices to be agreed on, and also with such iron rails as may at any time come into possession of Government, by impressment or otherwise, from railroads deemed unimportant, or comparatively unimportant, for Government transportation.

The committee believe that a considerable portion of the supply necessary to maintain the important railroads of the country could be secured at once by the exercise of a spirit of liberality on the part of the Government—a liberality imperiously demanded by the pressing wants of those companies. There is a rolling[-mill] at Atlanta, Ga., which was established by pecuniary aid given by railroad companies of Georgia, and which never would have been established without such aid, engaged exclusively on Government work. That establishment, as well as all or nearly all the other iron-works in the country, have been during the war engaged by the Government, and thus the railroads have been deprived of every means of supply. Let the Government forego further work at the Atlanta rolling-mill entirely and concert measures for having the Tredegar rolling machinery in thorough working order to reroll all rails presented and great relief will be given.

The committee believe that the Government should give substantail encouragement to the building up of furnaces, forges, iron-works, machine-shops, and car factories by individuals or by railroad or other incorporated companies. Such works founded on private capital cannot be imported until the Government shall (in addition to assurances already given by the Mining Bureau when applied to) publicly pledge its faith that none of them shall ever be impressed or taken for Government use. If such pledge be given, there is no doubt that private enterprise and capital would in a short space of time build up establishments of the kind most needed by the railroads. The railroad companies do not seek any pecuniary aid from Govern-

ment. They ask only that the Government will afford them such facilities as can be granted without any hazard or loss. As supplies of tools, steel, and many other articles cannot be procured without resorting to the English manufactories, it becomes necessary for the railroad companies to place money or establish credits in England. The companies being generally willing to risk the blockade in order to procure supplies cannot in the present condition of exchange so place money or establish credits without the aid of Government. The committee would therefore respectfully recommend that whenever any railroad companies or association of companies shall purchase cotton and pledge the same to the Government, that an arrangement be made for their benefit of a character similar to the late loan procured on cotton in Europe by the Government. The operations of the Government have, from the very necessity of the case, interfered with the operations of the railroad companies. Many mechanics absolutely necessary toward keeping up railroad works are now in the Army. Without these workmen the railroads, even with supplies of iron, cannot get along. The number of such men cannot exceed, if it shall reach, 1,000. The committee would therefore earnestly recommend the detail of such mechanics as may be found absolutely necessary be made to railroad companies without delay.

[Inclosure No. 2.]

Resolved, That in order to increase the present efficiency and capacity of the railroads in their existing condition for the military transportation of the Confederate States, the following measures are respectfully recommended to the War Department:

First. That on all canals, rivers, and other lines of water transportation as large a number as practicable of boats and vessels of any kind be speedily constructed and used for transporting military supplies, so as to relieve the railroads of the overwhelming amount of freights now thrown upon them, and leave them available for transportation of what cannot be carried by water because of its locality or the urgency with which it is needed.

Second. That [at] all points which are suitable for the storage and distribution of supplies on the lines of railroads or water transportation adequate store-houses or shelters, if only of canvas, be erected and guarded for the storage and distribution, as they may be needed at various points, of supplies, which otherwise will inevitably detain many cars from active service.

Third. That for the increase and improvement of military transportation on railroads the Government should as early as practicable import from Europe artisans, machinists, and miners in number not less than 500 to supply the mines, rolling-mills, and machine-shops needed by the Government and railroads.

Fourth. That more stringent and efficient army regulations and orders be made and rigidly enforced preventing effectually interference by military officers with the movements of trains and operations of railroads and with the obedience of railroad officers and agents to the orders of their superiors.

EXECUTIVE OFFICE,
Jackson, Miss., April 22, 1863.

Lieutenant-General PEMBERTON,
Commanding Dept. of Mississippi and East Louisiana:

SIR: I am directed by Governor Pettus to say to you that in his opinion the distillation of grain in this department ought to be pre-

vented by all means in the power of the authorities. The civil remedies for this evil are too slow, uncertain, and otherwise inadequate to prevent the evil, but the law under your requisition authorizes the Governor to impress provisions for the Confederate Army; and I am directed further to say that if you will make a requisition for corn upon the Executive he will have every bushel of corn in the distilleries of this State, or purchased for distillation therein, impressed for the use of the Army, and if that does not prevent it he will, under your requisition for copper to make guns, impress the stills.

Respectfully, &c.,

JAMES H. RIVES,
Private Secretary.

GENERAL ORDERS, No. 49. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, April 23, 1863.*

I. The following regulation is made and will hereafter be observed in the Army relative to the clothing of deceased soldiers:

Upon the death of any soldier the surgeon in charge of the hospital at which it occurs will cause an inventory to be made of all his military clothing, and will make a fair appraisement of each article thereof. It will then be turned over to the nearest quartermaster for reissue. The original appraisement shall be forwarded to the Second Auditor to secure its value to the personal representatives of the deceased soldier, and a copy thereof be furnished to the receiving quartermaster, who will issue the clothing at the appraised prices, and not at those set forth in General Orders, No. 100, last series.

II. Engineer officers while employed on reconnaissances, surveys, or other duty, under special orders causing temporary absence from their posts or from the headquarters of the armies, corps, divisions, or brigades with which they may be serving, shall be allowed their personal expenses, to be paid out of the appropriation for engineer service, in lieu of all allowances for fuel, quarters, and forage for the same period. Each account must be certified to by the party receiving the payment, and approved by the officer under whose orders he acts.

III. All supplies of contractors engaged exclusively in iron or munitions of war for the Government are exempted from impressment, either at the establishment or at the place of purchase. Satisfactory evidence by affidavit or otherwise may be required to establish ownership.

By order:

S. COOPER,
Adjutant and Inspector General.

RICHMOND, FREDERICKSBURG AND POTOMAC R. R. CO.,
PRESIDENT'S OFFICE,
Richmond, Va., April 23, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: Apprehending that the estimate made in the paper which I had the honor to leave with you yesterday may seem an exaggerated one of the quantity of iron rails now urgently needed for the maintenance in use of the railroads of the Confederate States needed for

the operations of its armies, I have thought it proper that the facts on which that estimate is made should be known to you. A careful examination of the statistics of railroads in the Confederacy, as given in the most approved maps, guides, and other publications, disclosed the fact that those railroads, exclusive of those now in the possession of the enemy or which might not be needed, amounted in length to not less than 6,300 miles. But assuming that only 5,500 miles of these roads would be necessary to the military movements of the Government, these would have in their main tracks (exclusive of side tracks, on which old rails may be used) 495,000 tons of rails, computing them at 90 tons to the mile—the average weight of rails on Southern railroads. In ordinary times and with the ordinary use and opportunities in peace of repairing roadways and machinery experience forbids any reliance on the duration of rails for a longer period than from ten to fifteen years, and with the wear and use of them resulting from the overwhelming amount of army transportation and the diversion to them of all freights heretofore carried by water transportation, without opportunity or materials for repairs of roadways and machinery, their duration for ten years is the utmost that can be reasonably relied on; and when it is remembered that the rails have been laid or relaid on none of these roads less than three and on many not less than twelve and fifteen years since, it is but reasonable to calculate on the necessity of renewing during this and each successive year one-tenth of the length of all these railroads, requiring per annum one-tenth of the 495,000 tons of rails used in them, or 49,500 tons annually, or 4,125 tons monthly, being 1,500 tons more yearly or 125 tons more monthly than was estimated on the paper referred to.

It may be said that no sufficient allowance is here made for the rails to be taken from roads of no or of minor military importance to the Confederacy; but it will be observed that this calculation is based on supplying 800 miles less of railroads than are believed to be necessary to the military operations of the Government, which 800 miles would require annually 80 miles or 7,200 tons more of rails to keep them in use. Experience, too, has practically demonstrated the great difficulties attending this resource for supplying rails. They must be often taken up in the vicinity of the enemy, who will of course prevent it if possible, and generally by soldiers unskilled in a work more difficult to the skillful than laying down the track, who rebel against such employment and will not be coerced by elective officers of a volunteer army. Before the battle of Fredericksburg General Lee's army, with all the aid the railroad company could give him, was occupied more than two weeks removing four miles of rails. It remains, then, that not less than 49,500 tons of rails annually, or 4,125 monthly, are needed, and urgently needed now, to the maintenance of the railroads of the Confederacy. Whence are they to be supplied? The railroad convention reply from one rolling-mill at Atlanta, now engrossed in Government work, and from the Tredegar Works here, now also equally engrossed with other Government work. There are none other in the Confederacy, and the efforts of railroad interests during the past two years have wholly failed to induce private capital to erect any others. No one has claimed for the Atlanta mill a capacity for making more than 10,000 to 12,000 tons of rails per annum, even when making nothing else. There is reason to believe this an extravagant estimate. One of the proprietors of the Tredegar Works informed me only last Monday that their two mills had never been able to make more than 8,000 tons per

annum. Here, then, is a provision proposed for at the utmost less than half the quantity absolutely needed, assuming the relinquishment by Government of all other work to be done by either of these establishments. Nor can it be wise or safe to place the Government and all the railroads of the country at the mercy of one or two factories, whose pecuniary interests will prompt them to promise and perhaps attempt far more than they can accomplish, if thereby they only succeed in keeping down completion of other factories or sources of supply, and who, after extorting for their productions any price they may choose to exact, will leave the country without remedy for their failure to supply its necessities. On this point past experience has furnished many most impressive lessons.

With highest respect, your obedient servant,

P. V. DANIEL, JR.,
President.

HDQRS. DEPT. OF MISSISSIPPI AND EAST LOUISIANA,
Jackson, April 23, 1863.

His Excellency J. J. PETTUS,
Jackson:

SIR: Corn for the support of the Army is greatly needed. I am informed that in the southeastern part of Marshall County, Miss., there are in active operation two or more distilleries which are consuming large quantities of corn. For the purpose of securing this corn for breadstuff for the Army, you are requested to have it seized and turned over to the proper Confederate officers.

I am, with great respect, your obedient servant,

J. C. PEMBERTON,
Lieutenant-General, Commanding.

AN ACT to lay taxes for the common defense and carry on the Government of the Confederate States.

The Congress of the Confederate States of America do enact, That there shall be levied and collected upon the value of all naval stores, salt, wines and spirituous liquors, tobacco, manufactured or unmanufactured, cotton, wool, flour, sugar, molasses, sirup, rice, and other agricultural products, held or owned on the first day of July next, and not necessary for family consumption, for the unexpired portion of the year eighteen hundred and sixty-three, and of the growth or production of any year preceding the year eighteen hundred and sixty-three, a tax of eight per centum; and on all moneys, bank notes or other currency on hand, or on deposit, on the first day of July next; and on the value of all credits on which the interest has not been paid, held or owned by any person, copartnership or corporation, on the first day of July next, and not employed in a business, the income derived from which is taxed under the provisions of this act, there shall be levied and collected a tax of one per cent.: *Provided*, That all moneys owned, held, or deposited beyond the limits of the Confederate States, shall be valued at the current rate of exchange in Confederate Treasury notes, and the said tax shall be assessed on the first day of July next, or as soon thereafter as may be practicable, and be

collected on the first day of October next, or as soon thereafter as may be practicable.

SEC. 2. Every person engaged or intending to engage in any business named in the fifth section of this act shall, within sixty days after the passage of this act, or at the time of beginning business, and on the first day of January in each year thereafter, register with the district collector, in such form as the commissioner of taxes shall prescribe, a true account of the name and residence of each person, firm, or corporation engaged or interested in the business, with a statement of the time for which and the place and manner in which the same is to be conducted, and of all other facts going to ascertain the amount of tax upon such business for the past or the future, according to the provisions of this act. At the time of such registry there shall be paid to the collector the specific tax for the year ending on the next thirty-first of December, and such other tax as may be due upon sales or receipts in such business, at the time of such registry, as herein provided; and the collector shall give to the person making such registry a copy thereof, with a receipt for the amount of tax then paid.

SEC. 3. Any person failing to make the registry, and to pay the tax required by the preceding section, shall, in addition to all other taxes upon his business, imposed by this act, pay double the amount of the specific tax on such business, and a like sum for every thirty days of such failure.

SEC. 4. Except where herein otherwise provided, there shall be a separate registry and tax for each business mentioned in the fifth section of this act, and for each place of conducting the same; but no tax shall be required for the mere storage of goods at a place other than the registered place of business. Upon every change in the place of conducting a registered business there shall be a new registry, but no additional tax shall be required. Upon the death of any person conducting a business registered and taxed as herein required, or upon the transfer of the business to another, the business shall not be subjected to any additional tax, but there shall be a new registry in the name of the person authorized by law to continue the business.

SEC. 5. That upon each trade, business or occupation hereinafter named, the following taxes shall be levied and paid for the year ending on the thirty-first of December, eighteen hundred and sixty-three, and for each and every year thereafter, viz:

I. Bankers shall pay five hundred dollars. Every person shall be deemed a banker within the meaning of this act who keeps a place of business where credits are opened in favor of any person, firm or corporation, by the deposit or collection of money or currency, and by whom the same, or any part thereof, shall be paid out or remitted upon the draft, check or order of such creditor; but not to include any bank legally authorized to issue notes as circulation, nor agents for the sale of merchandise for account of producers or manufacturers.

II. Auctioneers shall pay fifty dollars and two and a half per centum on the gross amount of sales made: *Provided, however*, That on all sales at auction of stock or securities for money, the tax shall be one-fourth of one per centum on the gross amount of sales. Every person shall be deemed an auctioneer, within the meaning of this act, whose occupation it is to offer property for sale to the highest or best bidder at public outcry. The tax upon the auctioneers shall be deemed a tax upon the personal privilege, to be paid by each individual engaged in the business, and without regard to the place at which

the same is conducted. No tax shall be required upon auction sales made for dealers in a business registered and taxed and at their place of business, or upon official sales at auction, made by judicial or executive officers, or by personal representatives, guardie[a]ns, or committees.

III. Wholesale dealers in liquors of any and every description, including distilled spirits, fermented liquors, and wines of all kinds, shall pay two hundred dollars, and five per centum on the gross amount of sales made. Every person, other than the distiller or brewer, who shall sell or offer for sale any such liquors or wines in quantities of more than three gallons at one time to the same purchaser, shall be regarded as a wholesale dealer in liquors, within the meaning of this act. All persons who shall sell, or offer for sale, any such liquors or wines, in quantities less than three gallons at one time, to the same person shall be regarded as a retail dealer in liquors.

IV. Retail dealers in liquor, including distilled spirits, fermented liquors, and wines of every description, shall pay one hundred dollars and ten per centum on the gross amount of all sales made.

V. Retail dealers shall pay fifty dollars and two and a half per centum on the gross amount of sales made. Every person whose business or occupation it is to sell or offer to sell groceries or any goods, wares, merchandise or other things of foreign or domestic production, in less quantities than a whole original piece or package at one time, to the same person (not including wines, spirituous or malt liquors), shall be regarded as a retail dealer under this act: *Provided, however*, That any mechanic who shall sell only the products of the labor of himself and his own family shall be exempt from this tax.

VI. Wholesale dealers shall pay two hundred dollars and two and a half per centum on the gross amount of all sales made Every person whose business or occupation it is to sell or offer to sell groceries, or any goods, wares or merchandise, of foreign or domestic production, by one or more original package or piece at one time to the same purchaser, not including wines, spirituous or malt liquors, shall be deemed as a wholesale dealer under this act; but, having been registered as a wholesale dealer, such person may also sell, as aforesaid, as a retailer.

VII. Pawnbrokers shall pay two hundred dollars. Every person, whose business or occupation it is to take or receive, by way of pledge, favor or exchange, any goods, wares or merchandise, or any kind of personal property whatever, for the repayment or security of money lent thereon, shall be deemed a pawnbroker under this act.

VIII. Distillers shall pay two hundred dollars, and also twenty per centum on the gross amount of all sales made. Every person or copartnership, who distills or manufactures spirituous liquors for sale, shall be deemed a distiller under this act: *Provided, however*, That distillers of fruit, for ninety days or less, shall pay sixty dollars, and also fifty cents per gallon on the first ten gallons, and two dollars per gallon on all spirits distilled beyond that quantity.

IX. Brewers shall pay one hundred dollars, and two and a half per centum on the gross amount of sales made. Every person who manufactures fermented liquors of any name or description, for sale, from malt, wholly or in part, shall be deemed a brewer under this act.

X. Hotels, inns, taverns and eating houses shall be classified and rated according to the yearly rental, or if not rented, according to the estimated value of the yearly rental of the house or property occupied

or intended to be occupied as a hotel, inn, tavern or eating house, as follows, to wit: In cases where the actual or estimated rent shall amount to ten thousand dollars, or more, they shall constitute the first class, and pay an annual sum of five hundred dollars; in cases where said rent shall be five thousand dollars and less than ten thousand dollars, they shall constitute the second class, and pay an annual sum of three hundred dollars; and in cases where said rent shall be two thousand five hundred dollars and less than five thousand dollars, they shall constitute the third class, and pay an annual sum of two hundred dollars; in cases where said rent shall be one thousand dollars, and less than two thousand five hundred dollars, they shall constitute the fourth class, and pay an annual sum of one hundred dollars; and in cases where said rent shall be less than one thousand dollars, they shall constitute the fifth class, and pay an annual sum of thirty dollars. Every place where food and lodgings, or lodgings only, are provided for and furnished travelers, sojourners or boarders, in view of payment therefor, the income or receipts from which amount to five hundred dollars, from that source, shall be regarded a hotel, inn or tavern, under this act.

XI. That every place where food or refreshments of any kind are provided for casual visitors, and sold for consumption therein, and every boarding house in which there shall be six boarders, or more, shall be deemed an eating house under this act.

XII. Brokers shall pay two hundred dollars. Any person whose business it is to purchase and sell stocks, coined money, bank notes, or other securities, for themselves or others, or who deals in exchanges relating to money, shall be deemed a broker under this act.

XIII. Commercial brokers or commission merchants shall pay two hundred dollars, and two and a half per centum upon all sales made. Any person or firm, except one registered as a wholesale dealer or banker, whose business it is, as the agent of others, to purchase or sell goods, or seek orders therefor in original or unbroken packages, or produce consigned by others than the producers, to manage business matters for the owners of vessels, or for the shippers or consignors of goods, or whose business it is to purchase, rent, hire or sell real estate or negroes, shall be deemed a commercial broker or commission merchant under this act.

XIV. Tobacconists shall pay fifty dollars, and two and a half per cent. on gross amount of sales. Any person whose business it is to sell, at retail, cigars, snuff, or tobacco in any form, shall be deemed a tobacconist under this act. But registered wholesale and retail dealers shall not be taxed as tobacconists.

XV. Theaters shall pay five hundred dollars, and five per cent. on all receipts, which tax shall be paid by the owner of the building. Every edifice used for the purpose of dramatic representations, plays or performances, and not including halls rented or used occasionally for concerts or theatrical representations, shall be regarded as a theater under this act. Each circus shall pay one hundred dollars, and a tax of ten dollars for each exhibition, which tax shall be paid by the manager thereof. Every building, tent or space, or area, where feats of horsemanship or acrobatic sports are exhibited, shall be regarded as a circus under this act. Jugglers and other persons exhibiting shows shall pay fifty dollars. Every person who performs by sleight of hand shall be regarded as a juggler under this act: *Provided*, That no registry made in one State shall be held to authorize exhibitions in another State; and but one registry shall be required under this act to authorize exhibitions in any one State.

XVI. Bowling alleys and billiard rooms shall pay forty dollars for each alley or billiard table registered, which tax shall be paid by the owner thereof. Every place or building where bowls are thrown or billiards played, and open to the public, with or without price, shall be regarded as a bowling alley or billiard room, respectively, under this act.

XVII. Livery stable keepers shall pay fifty dollars. Any person whose occupation or business is to keep horses for hire or to let, shall be regarded as a livery stable keeper under this act.

XVIII. Cattle brokers shall pay the sum of fifty dollars, and two and a half per centum on the gross amount of sales made. Any person whose business it is to buy and sell and deal in cattle, horses, hogs or sheep, shall be considered a cattle broker.

XIX. Butchers and bakers shall pay the sum of fifty dollars, and one per centum on the gross amount of sales made. Any person whose business it is to butcher and sell, or offer for sale in open market or otherwise, the flesh of cattle, hogs, or sheep, shall be deemed a butcher under this act; and any person whose business it is to bake and sell, or offer for sale, bread, shall be deemed a baker under this act.

XX. Ped[d]lers shall pay fifty dollars, and two and a half per cent. on the gross sales. Any person, except persons engaged in peddling exclusively periodicals, books, newspapers, published in the Confederate States, Bibles or religious tracts, who sells, or offers to sell, at retail, goods, wares, or other commodities, traveling with his goods from place to place in the street, or through different parts of the country, shall be deemed a ped[d]ler under this act: *Provided*, That any ped[d]ler who sells, or offers to sell, dry goods, foreign or domestic, by one or more original pieces or packages at one time, and to the same person or persons as aforesaid, shall pay one hundred dollars, and two and a half per cent. on the gross sales; and any person who peddles jewelry shall pay fifty dollars, and two and a half per centum on the gross sales. The tax upon ped[d]lers shall be deemed a tax on the personal privilege, to be paid by each individual engaged in the business, without regard to place at which the same is conducted.

XXI. Apothecaries shall pay fifty dollars, and two and a half per centum on the gross amount of sales made. Every person who keeps a shop or building where medicines are compounded or prepared according to prescriptions of physicians, and sold, shall be regarded as an apothecary under this act.

XXII. Photographers shall pay the sum of fifty dollars, and two and a half per centum on the gross amount of sales made. Any person or persons who make for sale photographs, ambrotypes, daguerreotypes, or pictures on glass, metal, paper or other material, by the action of light, shall be regarded a photographer under this act.

XXIII. Lawyers actually engaged in practice shall pay fifty dollars. Every person whose business it is, for fee or reward, to prosecute or defend causes in any court of record, or other judicial tribunal of the Confederate States, or of any State, or give advice in relation to causes or matters pending therein, shall be deemed to be a lawyer within the meaning of this act.

XXIV. Physicians, surgeons and dentists actually engaged in the practice shall pay fifty dollars. Every person whose business it is, for fee or reward, to prescribe remedies, or perform surgical operations for the cure of any bodily disease or ailing, shall be deemed a physician, surgeon or dentist within the meaning of this act, as the case

may be; and the provisions of paragraph number twenty-one shall not extend to physicians who keep on hand medicines solely for the purpose of making up their own prescriptions for their own patients. The tax upon lawyers, physicians, surgeons and dentists shall be deemed a tax upon the personal privilege, to be paid by each individual in the business, and without regard to the place at which the same is conducted: *Provided*, That the provisions of this act shall not apply to physicians and surgeons exclusively engaged in the Confederate service.

XXV. Confectioners shall pay fifty dollars, and two and a half per centum on the gross amount of sales. Every person who sells, at retail, confectionery, sweetmeats, comfits, or other confects, in any building, shall be regarded as a confectioner under this act.

SEC. 6. And every person registered and taxed upon the gross amount of sales as aforesaid shall be required, on the first day of July, eighteen hundred and sixty-three, to make a list or return to the assessor of the district of the gross amount of such sales as aforesaid, to wit: From the passage of this act to the thirtieth day of June, eighteen hundred and sixty-three, inclusive, and at the end of every three months, or within ten days thereafter, after the said first day of July, eighteen hundred and sixty-three, make a list or return to the assessor of the district of the gross amount of such sales made as aforesaid, with the amount of tax which has accrued or should accrue thereon, which list shall have annexed thereto a declaration, under oath or affirmation, in form or manner as may be prescribed by the commissioner of taxes, that the same is true and correct, and shall at the same time as aforesaid pay to the collector the amount of tax thereupon as aforesaid, and in default thereof shall pay a penalty in double the amount of the tax.

SEC. 7. That upon the salaries of all salaried persons serving in any capacity whatever, except upon the salaries of persons in the military or naval service, there shall be levied and collected a tax of one per centum on the gross amount of such salary, when not exceeding fifteen hundred dollars, and two per centum upon any excess over that amount, to be levied and collected at the end of each year, in the manner prescribed for other taxes enumerated in this act: *Provided*, That no taxes shall be imposed by virtue of this act on the salary of any person receiving a salary not exceeding one thousand dollars per annum, or at a like rate for another period of time, longer or shorter.

SEC. 8. That the Secretary of the Treasury shall cause to be assessed and ascertained, on the first of January next, or as soon thereafter as practicable, the income and profits derived by each person, joint stock company and corporation, from every occupation, employment or business, whether registered or not, in which they may have been engaged, and from every investment of labor, skill, property or money, and the income and profits derived from any source whatever, except salaries, during the calendar year preceding the said first day of January next, and the said income and profits shall be ascertained, assessed and taxed in the manner hereinafter prescribed:

I. If the income be derived from the rents of houses, lands, tenements, manufacturing or mining establishments, fixtures and machinery, mills, springs of salt or oil, or veins of coal, iron or other minerals, there shall be deducted from the gross amount of the annual rent a sum sufficient for the necessary annual repairs, not exceeding ten per centum on said rent, except that the rent derived from houses

shall be subject to a deduction not exceeding five per centum for annual repairs.

II. If the income be derived from any manufacturing or mining business, there shall be deducted from the gross value of the products of the year: first, the rent of the establishment and fixtures, if actually rented and not owned by the persons prosecuting the business; second, the cost of the labor actually hired and paid for; third, the actual cost of the raw material purchased and manufactured.

III. If the income be derived from navigating enterprises, there shall be deducted from the gross earnings, including the value of freights on goods shipped by the person running the vessel, the hire of the boat or vessel, if not owned by the person running the same, or if owned by him, a reasonable allowance for the wear and tear of the same, not exceeding ten per cent. per annum, and also the cost of running the boat or vessel.

IV. If the income be derived by the tax-payer from boat or ship building, there shall be deducted from the gross receipts of his occupation, including the value of the ship when finished, if built for himself, the cost of the labor actually hired and paid by himself, and the prime cost of the materials, if purchased by him.

V. If the income be derived by the tax-payer from the sale of merchandise or any other property, real or personal, there shall be deducted from the gross amount of sales the prime cost of the property sold, including the cost of transportation, salaries of clerks actually paid, and the rent of buildings employed in the business, if hired and not owned by himself.

VI. If the income be derived by the tax-payer from any other occupation, profession, employment or business, there shall be deducted from the gross amount of fees, compensation, profits, earnings or commissions, the salaries of clerks actually paid, and the rent of the office or other building used in the business, if hired and not owned by himself, the cost of labor actually paid and not owned by himself, and the cost of material other than machinery purchased for the use of his business, or to be converted into some other form in the course of his business; and in case of mutual insurance companies, the amount of losses paid by them during the year. The income derived from all other sources shall be subject to no deduction whatever, nor shall foreigners be subject to a tax upon any other income than that derived from property owned, or occupations or employments pursued by them within the Confederate States; and in estimating income there shall be included the value of the estimated annual rental of all dwellings, houses, buildings or building lots in cities, towns or villages, occupied by the owners, or owned and not occupied, or hired, and the value of the estimated annual hire of all slaves not engaged on plantations or farms, and not employed in some business or occupations, the profits of which are taxed as income under this act. When the income shall be thus ascertained, all of those which do not exceed five hundred dollars per annum shall be exempt from taxation. On all incomes received during the year over five hundred dollars and not exceeding fifteen hundred dollars, a tax of five per cent. shall be paid; on all incomes over fifteen hundred dollars, and less than three thousand dollars, five per cent. shall be paid on the first fifteen hundred dollars, and ten per cent. on the excess; on all incomes of or over three thousand dollars, and less than five thousand dollars, a tax of ten per cent. shall be paid; on all incomes of or over five thousand dollars, and less than ten thousand dollars, a tax of twelve and a half

per cent. shall be paid; and on all incomes of or over ten thousand dollars, a tax of fifteen per cent. shall be paid. All joint stock companies and corporations shall reserve one-tenth of the annual earnings, set apart for dividend and reserve fund, to be paid to the collector of the Confederate tax, and the dividend then paid to the stockholder shall not be estimated as a part of his income for the purposes of this act. All persons shall give in an estimate of their income and profits derived from any other source whatever, and in doing so shall first state the gross amount of their receipts as individuals or members of a firm or partnership, and also state particularly each item for which a deduction is to be made, and the amount to be deducted for it: *Provided*, That the incomes and profits upon which the above tax is to be imposed shall not be deemed to include the products of land which are taxed in kind, as hereinafter described: *Provided further*, That in case the annual earnings of said joint stock companies and corporations set apart as aforesaid shall give a profit of more than ten and less than twenty per cent. upon their capital stock paid in, one-eighth of said sum so set apart shall be paid as a tax to the collector aforesaid, and in case said sum so set apart shall give a profit of more than twenty per cent. on their capital stock paid in, one-sixth thereof shall be reserved and paid as aforesaid. The tax levied in this section shall be paid on the first day of January next, and on the first day of January of each year thereafter.

SEC. 9. That if the assessor shall be dissatisfied with the statement or estimate of income and profits derived from any source whatever, other than products in kind, which the tax-payer is required to render, or with any deduction claimed by said tax-payer, he shall select one disinterested citizen of the vicinage, as a referee, and the tax-payer shall select another, and the two thus selected shall call in a third, who shall investigate and determine the facts in reference to said estimate and deductions, and fix the amount of income and profits on which the tax-payer shall be assessed, and a certificate signed by a majority of the referees shall be conclusive as to the amount of income and profits on which the tax-payer shall be assessed: *Provided*, That if any person shall fail or refuse to render the statement or estimate aforesaid, or shall fail or refuse to select a referee as aforesaid, the assessor shall select three referees, who shall fix the amount of income and profits on which the tax-payer shall be assessed, from the best evidence they can obtain, and a certificate signed by a majority of said referees shall be conclusive on the tax-payer: *And provided further*, That in any case submitted to referees, if they, or a majority of them, shall find and certify that the statement or estimate of income and profits rendered by the tax-payer does not contain more than four-fifths of the true and real amount of his taxable income and profits, then the tax-payer, in addition to the income tax on the true amount of his income and profits, ascertained and assessed by the referees, shall pay ten per centum on the amount of said income tax, and the assessor shall be entitled to one-fifth of said additional ten per centum over and above all other fees and allowances: *And provided further*, That the assessor may administer oaths to referees, the tax-payer, and any witness before the referees, in regard to said estimate, and any deduction claimed, or any fact in reference thereto, in such form as the Secretary of the Treasury may prescribe.

SEC. 10. On all profits made by any person, partnership or corporation, during the year eighteen hundred and sixty-two, by the purchase

within the Confederate States, and sale, during the said year, of any flour, corn, bacon, pork, oats, hay, rice, salt, iron, or the manufactures of iron, sugar, molasses made of cane, leather, woolen cloths, shoes, boots, blankets and cotton cloths, a tax of ten per centum shall be levied and collected, to be paid on the first day of July next: *Provided*, That the tax imposed by this section shall not apply to purchases and sales made in the due course of the regular retail business, and shall not continue beyond the present year.

SEC. 11. Each farmer and planter in the Confederate States, after reserving for his own use fifty bushels of sweet potatoes, and fifty bushels of Irish potatoes, one hundred bushels of the corn, or fifty bushels of the wheat produced in the present year, shall pay and deliver to the Confederate Government, of the products of the present year, one-tenth of the wheat, corn, oats, rye, buckwheat or rice, sweet and Irish potatoes, and of the cured hay and fodder; also one-tenth of the sugar, molasses made of cane, cotton, wool and tobacco; the cotton ginned and packed in somé secure manner, and tobacco shipped and packed in boxes, to be delivered by him on or before the first day of March in the next year. Each farmer or planter, after reserving twenty bushels of peas or beans, but not more than twenty bushels of both, for his own use, shall deliver to the Confederate Government, for its use, one-tenth of the peas, beans and ground peas produced and gathered by him during the present year. As soon as the aforesaid crops are made ready for market, the tax assessor, in case of disagreement between him and the tax-payer, shall proceed to estimate the same in the following manner: The assessor and the tax-payer shall each select a disinterested freeholder from the vicinage, who may call in a third in case of a difference of opinion to settle the matter in dispute; or if the tax-payer neglects or refuses to select one such freeholder, the said assessor shall select two, who shall proceed to assess the crops as herein provided. They shall ascertain the amount of the crops either by actual measurement or by computing the contents of the rooms or houses in which they are held, when a correct computation is practicable by such a method, and the appraisers shall then estimate, under oath, the quantity and quality of said crops, including what may have been sold or consumed by the producer prior to said estimate, whether gathered or not, and the value of the portion thereof to which the Government is entitled, and shall give a written statement of this estimate to the said collector, and a copy of the same to the producer. The said producer shall be required to deliver the wheat, corn, oats, rye, buckwheat, rice, peas, beans, cured hay and fodder, sugar, molasses of cane, wool and tobacco, thus to be paid as a tithe in kind, in such form and ordinary marketable condition as may be usual in the section in which they are to be delivered, and the cotton in such manner as hereinbefore provided, within two months from the time they have been estimated as aforesaid, at some depot not more than eight miles from the place of production, and if not delivered by that time, in such order, he shall be liable to pay fifty per cent. more than the estimated value of the portion aforesaid, to be collected by the tax-collector as hereinafter prescribed: *Provided*, The Government shall be bound to furnish to the producer sacks for the delivery of such articles of grain as require to be put in sacks for transportation, and shall allow to the producer of molasses the cost of the barrels containing the same. The said estimate shall be conclusive evidence of the amount in money of tax due by the producer to the Government,

and the collector is hereby authorized to proceed to collect the same by issuing a warrant of distress from his office, under his signature, in the nature of a writ of *fieri facias*, and by virtue of the same to seize and sell any personal property on the premises of the tax-payer or elsewhere, belonging to him, or so much thereof as may be necessary for the purpose of paying the tax, and the additional fifty per cent. aforesaid and costs; and said sale shall be made in the manner and form and after the notice required by the laws of the several States for judicial sales of personal property, and the said warrant of distress may be executed by the tax-collector or any deputy by him appointed for that purpose, and the deputy executing the warrant shall be entitled to the same fees as are allowed in the respective States to sheriffs executing writs of *fieri facias*, said fees to be paid as costs by the tax-payer: *Provided*, That in all cases where the assessor and the tax-payer agree on the assessment of the crops, and the value of the portion thereof to which the Government is entitled, no other assessment shall be necessary; but the estimate agreed on shall be reduced to writing and signed by the assessor and tax-payer, and have the same force and effect as the assessment and estimate of disinterested freeholders hereinbefore mentioned; and two copies of such assessment and estimate thus agreed on and signed as aforesaid shall be made, and one delivered to the producer and the other to the collector: *And provided further*, That the assessor is hereby authorized to administer oaths to the tax-payers and to witnesses in regard to any item of the estimate herein required to be made: *And provided further*, When agricultural produce in kind is paid for taxes, if payment be made by a tenant who is bound to pay his rent in kind, the tenth part of said rent in kind shall be paid in kind by the tenant to the Government as and for the tax of the lessor on said rent, and the receipt of the Government officer shall release the lessor from all obligation to include said rent in kind in his statement of income, and discharge the tenant from so much of his rent to the lessor.

SEC. 12. That every farmer, planter or grazier shall exhibit to the assessor, on or about the first of March, eighteen hundred and sixty-four, an account of all the hogs he may have slaughtered since the passage of this act and before that time. After the delivery of this estimate to the post quartermaster hereinafter mentioned by the assessor, the said farmer, planter or grazier shall deliver an equivalent for one-tenth of the same in cured bacon, at the rate of sixty pounds of bacon to the one hundredweight of pork. That on the first of November next, and each year thereafter, an estimate shall be made, as hereinbefore provided, of the value of all neat cattle, horses, mules, not used in cultivation, and asses owned by each person in the Confederate States, and upon such value the said owners shall be taxed one per cent., to be paid on or before the first day of January next ensuing. If the grazier, or planter or farmer shall have sold beeves since the passage of this act, and prior to the first day of November, the gross proceeds of such sales shall be estimated and taxed as income, after deducting therefrom the money actually paid for the purchase of such beeves, if they have been actually purchased, and the value of the corn consumed by them. The estimate of these items shall be made in case of disagreement between the assessor and tax-payer as herein prescribed in other cases of income tax; and on each succeeding first day of November, the beeves sold during the

preceding twelve months shall be estimated and taxed in the same manner.

SEC. 13. That the Secretary of War shall divide the service of the Quartermaster's Department into two branches, one, herein denominated post quartermasters, for the collection of the articles paid for taxes in kind, and the other for distribution to the proper points for supplying the Army, and for delivering cotton and tobacco to the agents of the Secretary of the Treasury. The tax assessor shall transfer the estimate of articles due from each person, by way of a tax in kind, to the duly authorized post quartermaster, taking from the said quartermaster a receipt, which shall be filed as a voucher with the chief collector in settling his account, and a copy of this receipt shall be furnished by the chief collector to the auditor settling the post quartermaster's account as a charge against him. The post quartermaster receiving the estimate shall collect from the taxpayer the articles which it specifies, and which he is bound to pay and deliver as a tax to the Confederate Government. The post quartermaster shall be liable for the safe custody of the articles placed in his care, and shall account for the same by showing that, after proper deductions from unavoidable loss, the residue has been delivered to the distributing agents, as evidenced by their receipts. The said post quartermaster shall also state the accounts of the quartermasters receiving from him the articles delivered in payment of taxes in kind at his depot, and make a monthly report of the same to such officer as the Secretary of War may designate: *Provided*, That in case the post quartermaster shall be unable to collect the tax in kind specified in the estimate delivered to him as aforesaid, he shall deliver to the district tax collector said estimate as a basis for the distress warrant authorized to be issued, and take a receipt therefor, and forward the same to the chief tax collector as a credit in the statement of the accounts of said post quartermaster: *Provided*, That any partial payment of said tax in kind shall be indorsed on said estimate before delivering the same to the district tax collector as aforesaid, and the receipt given to him therefor by the district tax collector shall specify said partial payment. When the articles thus collected through the payment of taxes in kind have been received at the depot as aforesaid, they shall be distributed to the agents of the Secretary of the Treasury, if they consist of cotton, wool or tobacco, or if they be suitable for forage or subsistence, to such places and in such manner as the Secretary of War may prescribe. Should the Secretary of War find that some of the agricultural produce thus paid in and suitable for forage and subsistence has been or will be deposited in places where it cannot be used, either directly or indirectly, for these purposes, he shall cause the same to be sold, in such manner as he may prescribe, and the proceeds of such sale shall be paid into the Treasury of the Confederate States. Should, however, the Secretary of War notify the Secretary of the Treasury that it would be impracticable for him to collect or use the articles taxed in kind, or any of them, to be received in certain districts or localities, then the Secretary of the Treasury shall proceed to collect in said districts or localities the money value of said articles specified in said estimate and not required in kind, and said money value shall be due on the first day of January in each and every year, and be collected as soon thereafter as practicable.

SEC. 14. That the estimates of incomes and profits, other than those payable in kind, and the statements or bills for the amount of the

specific tax on occupations, employments, business and professions, and of taxes on gross sales, shall be delivered by the assessor to the collector of the district, who shall give him a receipt for the same, and the said assessor shall file his receipt with the chief tax collector of the State, and the collector of the district holding said estimates, statements or bills, shall proceed to collect the same from the tax-payer. The money thus collected shall be paid to the chief tax collector of the State, accompanied by the estimates, statements or bills aforesaid, delivered by the assessor to the district collector as aforesaid.

SEC. 15. That every person who, as trustee, guardie[a]n, tutor, curator or committee, executor or administrator, or as agent, attorney in fact, or factor, of any person or persons, whether residing in the Confederate States or not, and every receiver in chancery, clerk, register or other officer of any court, shall be answerable for the doing of all such acts, matters and things as shall be required to be done in order to the assessment of the money, property, products and income under their control, and the payment of taxes thereon, and shall be indemnified against all and every person for all payments on account of the taxes herein specified, and shall be responsible for all taxes due from the estates, income, money, or property in their possession or under their control.

SEC. 16. The income and moneys of hospitals, asylums, churches, schools and colleges shall be exempt from taxation under the provisions of this act.

SEC. 17. That the Secretary of the Treasury be, and he is hereby, authorized to make all rules and regulations necessary to the operation of this act, and not inconsistent herewith.

SEC. 18. This act shall be in force for two years after the expiration of the present year, and the taxes herein imposed for the present year shall be levied and collected each year thereafter in the manner and form herein prescribed, and for the said time of two years, unless this act shall be sooner repealed: *Provided*, The tax on naval stores, flour, wool, cotton, tobacco and other agricultural products of the growth of any year preceding the year 1863, imposed in the first section of this act, shall be levied and collected only for the present year.

Approved April 24, 1863.

AN ACT to authorize the issue of eight per cent. bonds or certificates of stock in certain cases.

The Congress of the Confederate States of America do enact, That the Secretary of the Treasury be, and he is hereby, authorized to issue and deliver bonds or certificates of stock of the Confederate States, bearing eight per cent. interest per annum, to such an amount as may be necessary to discharge all agreements entered into prior to the first day of December, 1862, whereby goods were sold and delivered to the Government, and the vendor, at the time of sale, agreed to receive bonds or stock in payment of the price; and the said bonds or stock may bear date on the day of issue, or on the day the vendor was entitled to receive payment; but if dated on the day of issue, the interest which would have accrued had the bonds or stock been issued on the day the vendor was entitled to receive them shall be paid. And the said bonds or stock shall be issued under the same forms, conditions and restrictions as are provided in the act entitled

"An act to provide further means for the support of the Government," approved twelfth April, eighteen hundred and sixty-two, and the Secretary of the Treasury shall also be authorized to issue like bonds to any person who shall have actually paid money into the hands of an agent of the Treasury for the purchase of eight per cent. bonds of the one hundred million loan, prior to the twentieth February, eighteen hundred and sixty-three.

Approved April 27, 1863.

CHARLESTON, S. C., *April 28, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: In my letter of 20th instant, which I had the honor to hand you, I requested certain information in regard to the conduct of the business with which I am charged here, which was partially given me by you verbally. I now beg leave to submit the following upon the same subject, having since my arrival obtained some information of importance upon the matter referred to which I did not have when last I had this honor.

In response to my first inquiry in my letter of the 20th I understood you to instruct me that all the goods imported for the Government under the arrangement with Messrs. Collie & Co. and Crenshaw & Co., pertaining to the Subsistence Bureau, should be delivered on arrival to the post commissary here, quartermaster's stores to the post quartermaster, &c. Upon this point upon reflection I would venture to make the following suggestions: Much more care attends invariably the custody of goods belonging to individuals than to the Government, and much better success seems to attend individual enterprises than when such enterprises are conducted in the name of the Government. If possible, therefore, to prevent it, it should not generally be known that the Government is directly engaged as an importer. This we cannot hope to conceal if so many are informed of it. Would it not be well, should you agree with me in thinking this desirable, to select some one officer here, or let General Beauregard select one of his staff officers, to whom the matter shall be confided, and he make the arrangements with the commissary, quartermaster, &c., to receive the articles which I would deliver as directed by him? This officer could also decide what portion, if any, of the goods imported on individual account the Government desires. Thus the appearance of affairs would be that individuals were engaged in an extensive importing business, large quantities of whose articles the Government would take for its use, as it frequently has done here before, as I am informed.

In regard to my second inquiry, viz, from whom will the cargoes of cotton be obtained and what notice will be necessary to have the cotton ready for the vessels, I beg leave to say that I am satisfied that it will be necessary to have a small stock of cotton kept here and a smaller one at Wilmington to insure dispatch to the steamers and the proper conduct of the business. This matter from the information (thoroughly reliable) which I obtained here in relation to transportation I deem of the utmost importance. Vessels of every sort, and at all times even the most favorable to be well managed, must be as far as possible kept going continually This is peculiarly true now, in consideration of the very high prices that are paid for the steamers and

their supplies, and the wages of their officers and hands, and especially as the delay of a single day in the blockade business may cause an actual delay of sometimes two to three weeks because of the absolute necessity of availing yourself of a suitable night, and not undertaking it unless the weather and the moon are both suitable. Nor do I apprehend that there is really any risk in keeping this small stock here or at Wilmington. I mentioned this to-day to General Beauregard, to whom I had the honor of presenting the letter you furnished me, and he thought that such an arrangement was very proper and important. General Beauregard, I am happy to say, thinks the scheme a very good one for the Government. The quantity of cotton kept here should be 2,500 bales and at Wilmington 1,500 bales. It would cost the Government no more to keep it here than where it does, and it would, I expect, be much better kept, as better storage could be obtained.

In this connection I beg leave to suggest that it is eminently to the interest of the Government that the cotton exported under this arrangement should be as far as possible of the best quality, and I fear that much of the cotton belonging to the Government has been much injured. A very important matter connected with this enterprise will be the proper trim of the steamers, as without it the speed of which they are capable cannot be obtained. To do this well it may be necessary sometimes, as well as wise in other aspects, to send out some Sea Island cotton, rosin, turpentine, tobacco, and possibly some few other articles. If this should prove so, will these articles be purchased by the Government, or shall I purchase and ship them as the balance of the invoice?

In regard to my fifth inquiry, in relation to the orders for the goods of Collie & Co. and Crenshaw & Co. to be admitted free of duty, I beg leave to request that the order be sent me as soon as possible (as from the information which I received here from Messrs. Collie & Co.'s agent I should not be surprised that the first steamer arrived within the next week), and in such manner as will accomplish the purpose, but at the same time for the reasons before referred to prevents its being known that the Government is importing. It seems to me this concealment is absolutely necessary, as the steamers are to be sailed and their cargoes to be held in the name of Collie & Co., British subjects, with a view to endeavor to render them more secure.

My sixth inquiry related to coal; and I beg leave to say that it will be necessary to keep 300 tons of coal here and 150 at Wilmington. After this is delivered, to be kept on hand, very little, if any more, will be needed, because the steamers will obtain coal at Nassau sufficient to bring them in and carry them out; but inasmuch as it sometimes happens that a steamer will be chased off and thus compelled to expend her reserve supply, so to speak, it is absolutely important that a supply should be on hand for such contingencies. A steamer will consume about thirty tons of coal per day. I am more than ever satisfied of the entire feasibility of the scheme about to be inaugurated, and am confident that if pushed with judgment and energy it will redound greatly to the advantage of the Government. I was informed before leaving Richmond by the Hon. Mr. Mallory, Secretary of the Navy, that he had the same arrangement for articles in his line that you had effected. It may be necessary, therefore, in effecting the final arrangements to see him concerning the questions which I have herein had the honor to submit. In view of the importance of the

instructions herein asked for to the Government, I venture to request that I may receive them at an early day.

I have the honor to be, with the highest respect, your obedient servant,

JAMES R. CRENSHAW.

Memorandum in reference to accompanying letter.

On the first point, I beg leave to say that General Beauregard's assistance should be confined wholly to whatever military protection may be necessary to the steamers. Mr. Seixas has already been designated as the agent of the War Department, and will answer every purpose of an officer or agent of General Beauregard. Having no military rank, his actions will be more independent and will attract less attention.

On the second point, I think it will we well to order cotton to Charleston for that place and Wilmington—say 2,000 bales to each place per month; or let Mr. Seixas have authority to order what he thinks necessary from points designated by the Secretary of the Treasury up to, say, 10,000 bales, when another order may be asked for. As Collie & Co. get a commission for disbursement of the vessels, it pertains to them to supply the coal, assistance as to transportation being afforded to them. The coal used at Charleston must be obtained at points south of North Carolina, as all the coal there will be required at Wilmington. The character of supplies needed by the Government out of those shipped by Collie & Co. may also be intrusted to Mr. Seixas under instructions. It is, of course, understood that Mr. Seixas will have an assistant at Charleston to represent him in his transactions. It may be partially true that individuals make more money out of such enterprises than the Government does, but I think all experience points to the conclusion that Government manages better for itself than other people do for it. I confess, however, I do not clearly understand the writer's drift here, as his objection appears to be against Government custody of its own goods.

J. GORGAS.

AN ACT to admit free of duty all machinery for the manufacture of cotton, or wool, or necessary for carrying on any of the mechanic arts.

The Congress of the Confederate States of America do enact, That all machinery for the manufacture of cotton, or wool, or necessary for carrying on any of the mechanic arts in the Confederate States of America, be admitted free of duty until the ratification of a treaty of peace between the Confederate States and the United States.

Approved April 29, 1863.

GENERAL ORDERS, No. 51. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, April 29, 1863.*

To simplify the manner of effecting discharges and furloughs, the following orders, condensed from those heretofore issued, are published for the government of the Army:

I. When a soldier, present with his regiment or company, shall be unfit for military service in consequence of wounds, disease, or infirmity, his captain shall forward to the commander of the department or

of the army in the field, through the regimental, brigade, and other commanders, a statement of the case, with "certificates of disability," that he is totally unfit for service, signed by the surgeon of the battalion or regiment, according to the form prescribed in the Medical Regulations. If the recommendation for the discharge of the invalid be approved by the department or army commander, he will indorse the order for the discharge upon the "certificate of disability," which will be sent back, to be signed by the commanding officer of the regiment or battalion to which the invalid soldier's company belongs, and afterward forwarded by the captain to the Adjutant and Inspector General. The "discharge" will be signed by the regimental or battalion commander, and "final statements," by the company commander.

II. When the soldier, present with his command, is certified to be laboring under temporary disability, which requires his removal or a change of climate, the commander of the department or of the army in the field may grant a furlough of thirty days; which, in extreme cases, may be extended by him to sixty days.

III. When a soldier is absent from his company, battalion, or regiment, in hospital, and is unfit for military service, for reasons set forth in paragraph I of these orders, the commandant of the post, upon the recommendation of an examining board, to consist of two or more medical officers, established by the commandant of the post (or if there be no such board, the senior surgeon of the hospital), may grant him a furlough of thirty days, subject to extension by the commander of the department or army in the field, when he will make out "certificates of disability" and send them to the commander of the company, to be forwarded by him, as prescribed in the preceding paragraph. But when access to commanders is difficult, and attended with great delay, and the case is urgent, the certificates of disability may be forwarded by the surgeon directly to the Surgeon-General, for his approval, which being given, the discharge will be authorized from the Adjutant and Inspector General's Office, and the surgeon will make out "final statements."

IV. When a soldier, absent from his command, certified by the surgeon or assistant surgeon of the army to be unfit for present duty, and that his health requires his removal or change of climate, the commander of the post, if access to the commander of the department or of the army in the field be difficult, may grant the soldier a furlough, not to exceed thirty days, and submit the application for a longer period, if necessary, to the general to whose command the soldier may belong; or, without granting the furlough, he may refer it to the discretion of such commanding general.

V. In every case where a soldier has been discharged under paragraph III, by orders from the Adjutant and Inspector General's Office, and the "descriptive list" and "final statements" cannot be had, he will be mustered for payment upon hospital rolls by the surgeon in charge, upon his affidavit, taken before one or more witnesses, that he has not received pay for the period for which he claims it to be due, and that he is not indebted to the Confederate States Government beyond the amount stated by him.

VI. Due notices of all furloughs and discharges granted under these orders will be forwarded, through department and army commanders, to the Adjutant and Inspector General, and to the immediate commander of the company to which the soldier belongs.

VII. All orders heretofore issued relating to furloughs and discharges for the causes aforesaid are hereby revoked.

By order:

S. COOPER,
Adjutant and Inspector General.

AN ACT to allow commutation for clothing to the militia in actual service of the Confederate States.

The Congress of the Confederate States of America do enact, That there shall be allowed and paid to the militia of any State, who have been, or may hereafter be, called into the service of the Confederate States, under authority of existing laws, to each private and non-commissioned officer, commutation for clothing for the time of actual service, at the rate of forty-two dollars a year, up to the thirtieth day of August, eighteen hundred and sixty-one, and after that date, at the rate of fifty dollars per annum, deducting therefrom the value of any clothing which may have been issued them, or commutation therefor, which may have been allowed them.

SEC. 2. All claims for commutation under authority of this act made by any of the militia who have been heretofore paid, shall be settled by the Second Auditor, with the approval of the Comptroller of the Treasury.

Approved April 30, 1863.

AN ACT relative to certain bonds and Treasury notes issued under the provisions of the act approved sixteenth May, eighteen hundred and sixty-one.

The Congress of the Confederate States of America do enact, That the ten-year bonds and two-year Treasury notes issued under the provisions of an act entitled "An act to authorize a loan, and the issue of Treasury notes, and to prescribe the punishment for forging the same, and for forging certificates of stock and bonds," approved sixteenth May, eighteen hundred and sixty-one, be, and the same are hereby, excepted from the operation of the act entitled "An act to provide for the funding and further issue of Treasury notes," approved twenty-third March, eighteen hundred and sixty-three, and the said ten-year bonds and two-year Treasury notes shall continue subject to all the provisions of the said act first hereinbefore mentioned, approved sixteenth May, eighteen hundred and sixty-one: *Provided*, That the said two-year Treasury notes now outstanding shall be funded prior to the first day of August, eighteen hundred and sixty-three.

Approved April 30, 1863.

JOINT RESOLUTION to establish a seal for the Confederate States.

Resolved by the Congress of the Confederate States of America, That the seal of the Confederate States shall consist of a device representing an equestrian portrait of Washington (after the statue which surmounts his monument in the capitol square, at Richmond), surrounded with a wreath composed of the principal agricultural products of the Confederacy (cotton, tobacco, sugar cane, corn, wheat

and rice), and having around its margin the words: "The Confederate States of America, twenty-second February, eighteen hundred and sixty-two," with the following motto: "*Deo vindice.*"

Approved April 30, 1863.

Abstract from returns of the Confederate Army on or about April 30, 1863.

Command.	Present for duty, officers and men.	Aggregate present.	Aggregate present and absent.	Date of return.
Army of Northern Virginia *a* (Lee)	64,799	77,379	109,859	Mar. 31
Department of Western Virginia (Jones)	6,211	7,001	9,747	Apr. 30
Department of Richmond (Elzey)	3,030	3,593	4,518	May 1
Department of North Carolina (D. H. Hill)	23,536	26,838	34,469	May 31
Army of East Tennessee (Maury)	15,144	17,678	25,554	Apr 30
Department of South Carolina, Georgia, and Florida (Beauregard).	32,988	37,520	44,770	Apr 23
Army of Tennessee (Bragg)	56,999	67,838	98,574	Apr 30
Department of the Gulf (Buckner)	4,970	5,271	6,059	Apr 30
Department of Mississippi and East Louisiana (Pemberton)	48,829	61,495	82,318	Mar 31
On Blackwater, &c., Va. (French)	5,552	6,268	8,246	May 10
Trans-Mississippi Department *b* (Smith)	26,047	30,389	46,021	May 31
Hood's and Pickett's divisions	13,967	16,317	24,686	May 20
Artillery, Second Army Corps	2,164	2,410	3,348	May 20
Total	304,236	360,097	498,169	

a Exclusive of Hood's, Pickett's, and Ransom's divisions (detached south of the James River, in Virginia and North Carolina), the artillery of the Second Army Corps, and Imboden's and Davidson's commands (in the Valley District), for which there are no returns of April 30, or thereabouts. The strength of Hood's and Pickett's divisions, after their return to the Army of Northern Virginia (according to return for May 20), and that of the Second Corps Artillery is entered on last two lines of the table. Ransom's strength is included in the Department of North Carolina for May 31, but Imboden's and Davidson's strength is not of record.

b Five regiments of cavalry in the District of Texas, New Mexico, and Arizona (Magruder), not included, estimated at 3,500, and the District of Louisiana (Taylor) are not reported.

AN ACT to authorize the Secretary of War to purchase or lease real estate.

The Congress of the Confederate States of America do enact, That the Secretary of War be, and he is hereby, authorized to purchase or lease any and all real estate which may by him be deemed necessary for the use of the Government in the conduct of those works or operations submitted by law to the supervision or control of the War Department, and for which appropriations are made by Congress.

SEC. 2. That the Secretary of War is hereby authorized to ratify and complete any purchase or lease of real estate heretofore made under the direction of the Chief of Ordnance, and all such leases or purchases heretofore made shall be binding as soon as the same are approved by the Secretary of War.

SEC. 3. Every purchase of freehold estate made by authority of this act shall be subject to the condition that the consent of the State within whose limits it lies shall be obtained by the Confederate Government.

Approved May 1, 1863.

AN ACT to provide for the payment of certain North Carolina troops from the time of their enlistment.

The Congress of the Confederate States of America do enact, That the troops heretofore raised by the State of North Carolina, and afterwards received into the service of the Confederate States by the Confederate States, shall be paid from the date of their enlistment.

Approved May 1, 1863.

AN ACT to make appropriations for the support of the Government of the Confederate States of America for the periods therein mentioned.

The Congress of the Confederate States of America do enact, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Government, from the first day of July, eighteen hundred and sixty-three, to the thirty-first day of December, eighteen hundred and sixty-three:

* * * * * * *

War Department.—For compensation of the Secretary of War, Assistant Secretary, chief of Bureau, clerks, messengers, &c., in said Department, one hundred and sixty-eight thousand dollars.

To liquidate the claims to be paid for the river-defense service, ninety thousand dollars.

For incidental and contingent expenses of the War Department, sixty thousand dollars.

For compensation of Commissioner and chief clerk of Indian Affairs and incidental expenses of Bureau, two thousand and sixty-three dollars.

Quartermaster's Department.—For the pay of the Army, one hundred and forty-one millions one hundred and eighteen thousand six hundred and eighty-eight dollars.

For transportation of troops and their baggage, of quartermaster's stores, subsistence, ordnance, and ordnance stores, from place of purchase to troops in the field, purchase of horses, mules, wagons, and harness, purchase of lumber, nails, iron and steel, for erecting storehouses, quarters for troops and other repairs, hire of teamsters, laborers, &c., fifty-six million four hundred and forty-seven thousand four hundred and seventy-five dollars.

For pay for horses of non-commissioned officers and privates killed in battle, under act number forty-eight, section seven, and for which provision is to be made, one hundred thousand dollars.

For pay for property pressed into the service of the Confederate States under appraisement, said property having been either lost or applied to the public service, two hundred thousand dollars.

For the subsistence of prisoners of war, under act number one hundred and eighty-one, section one, and the hire of the necessary prisons, guard-houses, &c., for the safe-keeping of the same, or so much thereof as may be necessary, one million dollars.

For the pay of officers on duty in the offices of the Adjutant and Inspector General's Department, the Quartermaster-General's Department, Medical, Engineer, Ordnance, and Subsistence Departments, three hundred and eighty-eight thousand and twenty dollars.

Commissary Department.—For the purchase of subsistence stores and commissary property, one hundred and thirty million eleven thousand three hundred and fifty-two dollars.

Ordnance Department.—For the ordnance service in all its branches, seventeen million five hundred thousand dollars.

For the purchase of pig and rolled iron, five million dollars.

For the purchase and manufacture of niter, two million dollars.

Engineer Department.—For the engineer service, six million dollars.

Medical Department.—For pay of private physicians employed by contract, two hundred and fifty thousand dollars.

For pay of nurses and cooks, not enlisted or volunteers, two hundred and fifty thousand dollars.

For pay of hospital stewards, seventy-five thousand dollars.

For pay of matrons, assistant matrons, and ward matrons, two hundred and fifty thousand dollars.

For pay of ward-masters, one hundred and sixty thousand dollars.

For pay of hospital laundresses, sixty-five thousand dollars.

For medical and hospital supplies, three million five hundred thousand dollars.

For the establishment and support of military hospitals, one hundred and fifty thousand dollars.

* * * * * * *

War Department.—For contingent and incidental expenses of the Army until the thirty-first day of June, eighteen hundred and sixty-three, one hundred thousand dollars.

For compensation of additional clerks in the War Department from February first to June the thirteenth, eighteen hundred and sixty-three, twenty-five thousand dollars.

For contingent and incidental expenses of the Adjutant and Inspector General's Office, for the fiscal year ending June thirtieth, eighteen hundred and sixty-three, fifteen thousand dollars.

Engineer Department.—For the engineer service, additional appropriation from February first to June thirtieth, eighteen hundred and sixty-three, two million dollars.

Indian service.—For payment of treaty stipulations made with certain Indian tribes, to June thirtieth, eighteen hundred and sixty-three, two hundred and twenty-six thousand three hundred and sixty dollars and fifty-seven cents.

For current and contingent expenses of agencies in the Indian service from December first, *to* eighteen hundred and sixty-two, to June thirtieth, eighteen hundred and sixty-three, seven thousand one hundred and ninety-nine dollars and ninety-eight cents.

Medical Department.—For hospital clothing required by act of Congress, approved September twenty-seventh, eighteen hundred and sixty-two, entitled "An act to better provide for the sick and wounded of the Army in hospitals," six hundred and twenty-five thousand dollars.

For two hundred and one thousand and six hundred gallons of alcoholic stimulants, required by the Medical Department for medical and hospital purposes for the Army, for one year, six hundred and four thousand, eight hundred dollars.

For additional amount required for the purchase of medical and hospital supplies from February first to June thirtieth, eighteen hundred and sixty-three, one million dollars.

Ordnance Department.—For the ordnance service in all its branches, for the period ending June thirtieth, eighteen hundred and sixty-three, five million dollars.

For salaries of officers, printing, stationery and contingent expenses to be incurred in collecting taxes, four million dollars.

Amount required to refund the State of Louisiana the amount overpaid by her on the war-tax act of August nineteenth, eighteen hundred and sixty-one, five thousand eight hundred and twenty-five dollars and sixty-one cents.

Advertising and other expenses incident to the funding of Treasury notes, fifty thousand dollars.

Amount required to build fire-proof vaults, and to fit up the city post-office rooms for the use of the Treasury, five thousand dollars.

Amount required for alterations, rent, damages, lights, &c., for a building for a post-office for the city of Richmond, fourteen thousand eight hundred and sixty-six dollars and sixty-six cents.

Approved May 1, 1863.

AN ACT to abolish all ports of delivery in the Confederate States.

The Congress of the Confederate States of America do enact, That all laws or parts of laws establishing any port or ports of delivery in the Confederate States be, and the same are hereby, repealed, and that all ports of delivery heretofore established be, and the same are hereby, abolished, except such ports of delivery as are also ports of entry.

Approved May 1, 1863.

AN ACT to amend an act entitled "An act to better provide for the sick and wounded of the Army in hospitals," approved September 27, 1862.

The Congress of the Confederate States of America do enact, That the commutation value of rations of sick and disabled soldiers of the Army shall, from and after the passage of this act, be fixed at one dollar and twenty-five cents each, instead of one dollar, as provided in the first section of the above-recited act, and that the provisions of this act and the above-recited act, approved September twenty-seventh, one thousand eight hundred and sixty-two, shall be so construed as to apply to all sick and disabled soldiers of the Army, whether in hospitals or other places used in camp or in the field as hospitals, and that it shall be the duty of the Surgeon-General, under the direction of the Secretary of War, to prescribe such rules and regulations in his department as will secure to all sick and disabled soldiers the benefit of the provisions of this and the act to which this is an amendment: *Provided*, That twenty-five cents for each ration so commuted shall not be drawn or appropriated until the Secretary of War shall deem the same necessary to purchase suitable supplies for the use of the sick and disabled of the Army.

SEC. 2. That the pay to be hereafter allowed to all laundresses in hospitals or other places, in the service of the Confederate States, shall be twenty-five dollars per month, with rations and quarters, instead of the pay now allowed by law.

SEC. 3. That in addition to the hospitals now established, it shall be the duty of the Surgeon-General to establish, at convenient and suitable points of location on the different railroad routes, such other hospitals as may be necessary to furnish quarters and rations to sick and disabled soldiers who may be permitted to return home on furlough, or after an honorable discharge from the military service, and

the hospitals so established shall be known and designated as way hospitals, and shall be furnished with suitable bedding and provisions, and in every respect be under the same rules and regulations of other hospitals.

Approved May 1, 1863.

AN ACT to authorize the President to appoint officers in the Niter Bureau and in the engineer troops during the recess of the Senate.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to appoint officers in the Niter Bureau and in the engineer troops during the recess of the Senate, to be confirmed by the Senate at its next session, and the commissions of the officers so appointed shall expire at the end of the next session of the Senate, unless the same be confirmed.

Approved May 1, 1863.

AN ACT to establish the flag of the Confederate States.

The Congress of the Confederate States of America do enact, That the flag of the Confederate States shall be as follows: The field to be white, the length double the width of the flag, with the union (now used as the battle-flag) to be a square of two-thirds the width of the flag, having the ground red; thereon a broad saltier of blue, bordered with white, and emblazoned with white mullets or five-pointed stars, corresponding in number to that of the Confederate States.

Approved May 1, 1863.

[MAY 1, 1863.—For joint resolutions of the Confederate Congress, on the subject of retaliation, see Series II, Vol. V, p. 940.]

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 53. } *Richmond, May 1, 1863.*

The following act of Congress, approved by the President, is published for the information and direction of all concerned, in connection with the act relating to impressments, heretofore announced in General Orders, No. 37, from the Adjutant and Inspector General's Office, April 6, 1863, and as supplementary to said act:

AN ACT to amend an act entitled "An act to regulate impressments by officers of the Army."

The Congress of the Confederate States of America do enact, That in all cases of appraisement provided for in said act, the officer impressing the property shall, if he believe the appraisement to be fair and just, indorse upon it his approval; if not, he shall indorse upon it his reasons for refusing, and deliver the same, with a receipt for the property impressed, to the owner, his agent or attorney, and as soon as practicable forward a copy of the receipt and appraisement and his indorsement thereon, to the Board of Appraisers appointed by the President and the Governor of the State, who shall revise the same and make final valuation, so as to give just compensation for the property taken, which valuation shall be paid by the proper department, for use of which the property was taken, on the certificate of the appraisers, as provided in the act of which this is amendatory.

Approved April 27, 1863.

By order:

S. COOPER,
Adjutant and Inspector General.

22A AUSTIN FRIARS, LONDON, *May 5, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War Confederate States of America:

SIR: I had this pleasure 11th April, ultimo, duplicate of which is inclosed,* and am since without any of your favors. I beg now to hand you inclosed manifest of the cargo of the steamer Venus, being my first purchase under the recent contract with your Department.† You will observe that she carries 358 packages of goods, marked "R. P. W.," all of which were purchased by Major Ferguson for the Quartermaster's Department. Having to carry so great a quantity of coal, she is unable to take as much freight as I had expected to send, and consequently the Navy Department has not on board its full proportion, say one-fourth. The first of the double screws contracted for, say the steamer Hebe, commences to load to-day. By her I shall send the balance of Major Ferguson's purchases, say about 100 packages, and as many of the goods of the Navy Department as I can get ready, and will fill up the part of the cargo to which your Department is entitled with provisions for the commissary, that order being the only one I have here from the War Department. I expect to clear the Hebe during the week. You will doubtless be disappointed, as I have been, that both of these vessels did not go to sea during last month, but it is very difficult to have work done here at the time agreed upon, and from what I see at present I think each of the steamers to be delivered will be delayed several weeks beyond the time named in my estimate to you some time since. The second of the double screws, which was to be ready for cargo the 6th of this month, is not yet launched, and will not be ready for cargo before the last of this month.

I beg to hand you inclosed copies of the correspondence between Major Huse and myself, showing that his opposition to my arrangements will prevent him from co-operating with me to carry out what I understand to be your wishes and orders.‡ Being entirely willing to cancel the contract if you were here and agreed with him in his opinion, I determined to lay his letters before the Hon. James M. Mason for his action and advice. A copy of my letter to him of the 15th of April, submitting Major Huse's letters, and of his reply of the 28th of April, I also beg to hand you inclosed. You will see that Mr. Mason does not agree with Major Huse in the opinion that I ought to discontinue the carrying out of your orders, which leaves me in a position of much embarrassment, inasmuch as your recent orders placing him in control of the finances of your Department, and as a guiding and controlling agent here, enables him to prevent me from going on in the purchase of another steamer (the sixth), as provided for in the contract with Messrs. Alexander Collie & Co., and will require the advance of much more money by Messrs. Alexander Collie & Co. than was contemplated at the time that the contract was entered into. I have no doubt that from a review of the correspondence you will arrive at the same conclusion which Mr. Mason and I have been forced to, viz, that there will be no concert of action between Major Huse and myself in the carrying out of the contract. I therefore greatly hope that already in reply to my letters of March last you have sent me drafts on the depositary with which to work.

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*See p. 480. †Manifest (inclosure No. 2) omitted. ‡See p. 482.

If not, I am sure on receipt of this you will at least give me some assurance that means will be placed in my hands as soon as the Government can command them here. In the meantime, while awaiting your favors, and with the promise of the hearty co-operation of the Hon. James M. Mason and Captain Bulloch, I shall do all that I can for a successful carrying out of the contract. I will send you by the Hebe invoice of the cost of the Venus and her disbursements here. The Hebe, as well as the Venus, has been paid for in full, and £12,000 on the three steamers that are being built. On these latter, under the contract, we have to pay three-fourths during the building, the other fourth on delivery. You will not lose sight of the fact that Major Huse has undertaken to draw on me a draft for £22,500 against the money placed in my hands by Mr. Mason, although Mr. Mason already told him that he had taken the responsibility of paying me the £55,000, and for that responsibility he was accountable to our Government, and that the amount should not be returned. Messrs. Alexander Collie & Co. are sending out by the Venus a Mr. Watson to take special charge of the business at Nassau, and it is at my suggestion that he goes on to the Confederate States before taking up his abode at the islands, in order to make arrangements for pilots and ascertain whether he can rely on a supply of coal for our steamers at the Confederate ports. If you can give him such assurance it will enable each steamer to carry in 75 to 100 tons more freight. There are some reports of yellow fever at Nassau, and it may be that this steamer will not go there and we will have to return to Bermuda. To meet such a contingency I shall at once send cargoes of meat, &c., to meet her there, as also at Nassau.

With the promise of writing you again in a few days by the Hebe, and anxiously awaiting your favors,

I remain, your most obedient,

WM. G. CRENSHAW.

[Inclosure No. 3.]

PARIS, *March 20, 1863.*

WILLIAM G. CRENSHAW, Esq.:
(Care of Hon. James M. Mason, C. S. Commissioner, London.)

SIR: I have the honor to inform you that I have received a letter from the War Department containing an extract from a letter of Mr. Secretary Seddon to you, dated February 8. From what I can gather from this extract it will be desirable for us to confer with each other, and I regret that we have not met before. I regret still more that it is necessary for me to leave Paris for Vienna this evening. Immediately on my return I will communicate with you.

I am, sir, very respectfully, your obedient servant,

CALEB HUSE,
Major, C. S. Artillery.

[Inclosure No. 5.]

22A AUSTIN FRIARS, LONDON, *April 13, 1863.*

Maj. C. HUSE:

SIR: I am sure from what I know of the condition of supplies in the Confederate States that there are many articles of which our Government is in much need, and I therefore regret exceedingly to learn from your note of 11th instant that you had no orders that you are

willing to have executed by Messrs. Alexander Collie & Co. and myself under the arrangement made by us with the War Department. The goods already bought by Major Ferguson will go on board the two steamers we are about to load, and will about fill the space allotted to the War Department. The fourth of each cargo will be put on board by us for the Navy Department. It is important, however, in order to have cargoes in Nassau for these two steamers on their return from the Confederate States, and to lay them down in Nassau at a low rate of freight, that we should immediately buy and ship goods by sailing vessels. This I propose to do. Having no orders from the War Department except the one for meat from Major Ruffin, I think we had better commence to buy and send it forward, and as I am directed to confer with you in its execution, I shall be pleased to have your views in relation to it. I think it also very unfortunate that we have no other orders at this time, as it would be much better to equalize the value of each cargo than to ship by some vessels only low-priced goods, and on others those entirely of much greater value. I beg leave to repeat here that in addition to the two steamers about to load we have contracts for three others now building, all double screws, and promised by the builders to be ready as follows: 10th May, 30th June, and 15th July. We had intended buying another steamer, to make six in all, with which to start the joint account ventures, believing they would not be too many for the wants of the War Department, and now that the Hon. S. R. Mallory, Secretary of the Navy, advises me that he has become a party to the same contract and is interested to the extent of one-fourth in whatever is done under it, I am quite persuaded that no time should be lost in making further contracts for steamers, and especially to take the place of any that may be lost; but as you informed me that you had recently purchased three vessels for the Government to run between Bermuda and our ports, I feel some hesitation on the subject, and in accordance with Hon. Mr. Seddon's (Secretary of War) order to confer with you in my operations, I beg that you will give me your views on this subject at your earliest convenience.

I remain, your most obedient,

WM. G. CRENSHAW.

[Inclosure No. 6.]

71 JERMYN STREET, LONDON, *April 14, 1863.*

WILLIAM G. CRENSHAW, Esq.,
22A Austin Friars, London:

DEAR SIR: I am this morning in receipt of your communication of the 13th, and in reply have to say that as soon as I receive from the War Department of the Confederate States any communications relating to the purchase of supplies I shall inform you what articles will be required from the house established by yourself and Mr. Collie. I have not yet received any letters by the late Bermuda mail. When they arrive I shall probably find some definite instructions from the War Department in them. In conversation with you on Saturday last I informed you that I was not prepared to place the purchasing of the ordnance and medical supplies in your hands, and that at a future time I would state to you in writing my reasons. They are as follows:

First. I have not received from the War Department any instructions from which I can draw the inference that I am to do so.

Second. The Government has already four steamers—the Giraffe, Cornubia, Merrimac, and Eugenie—engaged in running the blockade, and I have instructions to purchase the fifth. These steamers would have to lie idle or be sold if I were to turn over to you the purchasing and forwarding of supplies for the Ordnance and Medical Departments.

Third. Several of the principal articles are now purchased direct from the manufacturers, and I could not without positive instructions from the War Department increase the cost to the Government 2½ per cent. by placing the purcha ing in your hands.

Fourth. You have associated yourself with a house of high respectability, but entirely inexperienced in the purchasing of army supplies. Such business as I find it necessary to intrust to a commission merchant can be much better transacted by the house with which I have had very large transactions, which transactions have received the unqualified approval of the War Department. If you were connected with an army house, of which there are several in London, this objection would not hold good.

Fifth. To make any serious change in the conduct of the business of purchasing and forwarding supplies for the Confederate States Government, which has been successfully carried on since the war commenced, could not fail to be attended with inconvenience, if not loss, to the Government.

In compliance with your request that I should furnish you with my views on the subject of purchasing more steamers, I would suggest that no definite arrangements be made requiring the expenditure of more money until you have some information as to how much money will be at your disposal for the purposes of the War Department. The loan has proved a success, but as yet has not placed us in possession of any money whatever. I have a large account to pay, and have within a few days given out large contracts. Major Ferguson will require a considerable amount for his purchases, whether he makes them himself or intrusts them to you. It is of the highest importance that the orders of the Subsistence Department should receive prompt attention, and I would recommend if you have any money at your disposal that you appropriate it at once to that purpose. The Engineer Bureau also requires a portion of the funds available. With all these demands upon the loan, or that portion of it that may be placed to the credit of the War Department, I cannot but think it would be very unwise to make any further expenditure for ships. The difficulty that presents itself to my mind is, that even if no immediate embarrassment is produced with the five steamers you inform me you have purchased, of which the Government owns three-fourths, and with the four entirely owned by the Government, the available fund will not be more than sufficient to keep them all supplied with cargoes. And it seems to me highly probable that some of the three-fourths steamers may have to leave with small Government cargoes on board. This condition of affairs will answer very well for the one-fourth owners, but would hardly subserve the Government's interests. In view of all the difficulties in the case I would suggest to you and even urge you not to enter into any further contracts for ships until a definite understanding is come to as regards the money to be supplied to you for that purpose and for the purchase of the cargoes.

Since writing the above I have received instructions from the War Department which confirm me in the view I have taken of the case.

A letter from the Ordnance Bureau, dated March 8, contains the following:

As soon as you are in funds two more swift steamers may be added to this fleet. Now that we have a fair prospect of supplying ourselves, I feel disposed to take all the risks and trouble upon ourselves.

It is evident, therefore, that the design of the Department is that instead of disposing of or rendering useless the fleet already engaged in the blockade work it shall be increased. I shall, therefore, continue to purchase and forward, as I have done heretofore, supplies for the Ordnance and Medical Departments. I have not received any lists of articles required by other bureaus. In the event of any such coming to hand, in compliance with the directions of the Secretary of War to forward them to you, I shall at the same time send a copy to the officers of those departments that may be in London at the time, and shall act in accordance with the wishes of those officers in regard to laying out such sums of money as may be placed at their disposition.

I am, dear sir, very truly, yours,

CALEB HUSE.

[Inclosure No. 7.]

71 JERMYN STREET, LONDON, *April 16, 1863.*

WILLIAM G. CRENSHAW, Esq.,
22A Austin Friars:

DEAR SIR: I hasten to inform you that since my interview with you this morning I have seen the agents of Messrs. Erlanger, and from them learned that there will be actually no money available for any purposes whatever from the loan for some time to come. I do not think you should calculate upon receiving any money from me before June, and I cannot say that even then there will be any available for the Subsistence Department. The agents inform me that already the Government has received more money than the contract with the Government calls for.

I am, dear sir, very truly, yours,

CALEB HUSE.

[Inclosure No. 8.]

LONDON, *April 23, 1863.*

Maj. C. HUSE:
(Care Messrs. Isaac, Campbell & Co., No. 78 Jermyn street.)

SIR: I have just received a telegram from Mr. C. H. Bosher, who went over to Liverpool with the hope of finding you there, that you had left, and requesting me to inquire when he might expect payment of Colonel Gorgas' draft in his favor for £22,500, as he would need the money in a few days and would send the draft over to me for collection. Please inform me as to the reply I shall make him.

Your most obedient,

WM. G. CRENSHAW.

[Inclosure No. 9.]

25 GRANDE RUE AUTEUIL, PARIS, *April 25, 1863.*

WILLIAM G. CRENSHAW, Esq.,
22A Austin Friars, London:

SIR: I am this morning in receipt of your communication of the 23d instant, informing me of Mr. Bosher having placed Colonel

Gorgas' draft on me for £22,500 in your hands for collection. In reply I have to say that the only funds available for meeting this draft are those furnished to you by Mr. Mason for the War Department. You will, therefore, please pay to Mr. Bosher from the money you have received from Mr. Erlanger on account of the War Department the amount of the draft you hold for collection. I inclose to Mr. Bosher, by this post, an order on you for £22,500.

I am, very respectfully, your obedient servant,

CALEB HUSE,
Major, &c.

[Inclosure No. 10.]

LONDON, *April 27, 1863.*

Maj. C. HUSE,
25 Grande Rue Auteuil, Paris:

SIR: Your favor of 25th instant is to hand advising me of your draft in favor of Mr. C. H. Bosher for £22,500. It seems your draft was not inclosed in the letter to him, but I have informed him that if it was it would not be paid, as I have no funds in my hands subject to your order, and my purchases for our Government already greatly exceed the amount paid me on its account by Mr. Mason.

Your most obedient,

WM. G. CRENSHAW.

[Inclosure No. 11.]

22A AUSTIN FRIARS, LONDON, *April 27, 1863.*

Maj. C. HUSE,
25 Grande Rue Auteuil, Paris:

SIR: I duly received your favors of 14th and 16th instant, and since the date of the latter you will recollect that we have had a personal interview. In that interview you took occasion to inform me as follows, viz:

First. That you thought that the interests of the Government would be best promoted by canceling the contract recently entered into by the Secretary of War with Messrs. Collie and myself.

Second. That you had no authority to pay me any money for carrying out the said contract, and that my receipt to you would not be a voucher for any payment that you might make me, except for the express purpose of buying meat for the Department, notwithstanding the fact that the Hon. J. M. Mason has shown you the Secretary of War's letter to him asking that he should furnish me with all the funds necessary for carrying out my arrangements, out of any money that the Government could command here, and I have shown you his letter to me under date of 8th of February, saying that if he had known as much he would have given this letter direct to you.

Third. That Colonel Gorgas writes you "that the Secretary of War has entered into some arrangements with one William G. Crenshaw, the nature of which this department (Ordnance Bureau) remains in ignorance;" and either in the same or a subsequent letter the same officer writes that "in future this department (Ordnance Bureau) will control and manage the sea transportation for the Government."

These remarks, in connection with your letters already referred to, and especially when viewed with the position which you assumed in the first conversation we had together, viz, that the Government ought to have retained its purchasing in the hands of Messrs. Isaac, Campbell & Co. (whose name, by the way, is, in all your letters,

studiously avoided), convince me that not only there will be no concert of action between us, but that you intend to throw every obstacle that you can in the way of my accomplishing the business intrusted to me. It is in my opinion unfortunate for the Government that the recent orders from Mr. Seddon, giving you control of the finances, will enable you not only to prevent me from moving on as rapidly as I think the wants of our Government require, but also embarrass me very much in carrying on what I had undertaken before your return from Paris. Believing, however, that those orders were based on incorrect information, and in fact given in total ignorance of the condition and management of the Government business here, I shall embrace the earliest opportunity of writing to the War Department as to the facts as I think they exist here. In the meantime, if you continue to refuse to furnish me with any funds for the carrying out of the Government portion of the contract and for the purchase of meat ordered for the commissariat, the responsibility will rest with you and you alone.

Your most obedient,

WM. G. CRENSHAW.

[Inclosure No. 12.]

22A Austin Friars, London, *April 15, 1863.*

Hon. James M. Mason:

Sir: Being satisfied from the position assumed by Maj. C. Huse, in his letter to me of the 14th instant, not only that there is to be no concert of action between us in carrying out the orders of the Hon. James A. Seddon, Secretary of War, but that in continuing to buy steamers in accordance, as he says, with orders from the Ordnance Bureau he is acting in direct conflict with the spirit of the agreement recently entered into by Messrs. Alex. Collie & Co. and myself with the War Department, I am induced to lay this letter before you for such action and advice as you may be pleased to give me on the subject. In the position recently assigned to Major Huse by the Honorable Secretary of War he can (and from the tenor of this letter will, I think) seriously embarrass me in carrying out the arrangement agreed upon, and I do not see any chance of doing so except by looking to you for such pecuniary aid as I will require until I can inform the Secretary of War of the existing state of things and hear from him in reply. I know that the agreement was made by him in good faith, and that he will do all in his power to carry it out.

Permit me in conclusion to say that my object in inaugurating this scheme was not only to benefit myself, but to be of service to our Government, and I therefore beg leave to add that if in view of the whole matter as it now stands, and especially the course pursued by Major H[use] in continuing to buy steamers in opposition to what I believe to be the wishes of the Secretary of War, and in opposition to the spirit of the contract recently entered into between us, and especially in view of the fact that there may be some opposition in the two separate lines of steamers, one owned exclusively by the Government and the other only three-fourths by the Government—if in view of all this you think the interests of our Government would be promoted by canceling the contract recently entered into by you for the War Department with Messrs. Alex. Collie & Co. and myself, I beg that you will so inform me at once and it shall be done. Messrs. Alex. Collie & Co. and myself will take on our own account the five steamers

already bought and contracted for and immediately return you the £55,000 already paid by you on account of the Government.

Hoping to have your views fully on the whole subject, I remain, yours, very truly,

WM. G. CRENSHAW.

The above meets my cordial assent.

ALEXANDER COLLIE.

[Inclosure No. 13.]

22A AUSTIN FRIARS, LONDON, *April 27, 1863.*

Hon. JAMES M. MASON:

SIR: For your information, and in further proof that Major Huse will allow his opposition to the arrangement between the Secretary of War and myself to prevent him not only from affording me any aid in carrying it out, but will induce him to throw every obstacle that is possible in my way, I beg to inclose copy of a letter* just received from him advising that he has drawn on me for £22,500 to be paid out of the funds you placed in my hands. Of course I shall not pay the draft, and will only add that my purchases already for the Government greatly exceed the £55,000 you furnished me with. Be pleased to let me have your reply to the letter I addressed you last week at your earliest convenience.

Your most obedient,

WM. G. CRENSHAW.

[Inclosure No. 14.]

24 UPPER SEYMOUR STREET, PORTMAN SQUARE,
April 28, 1863.

Capt. WILLIAM G. CRENSHAW:

SIR: I have your letter of the 15th instant accompanied by one to you from Major Huse, and upon which you express the opinion that it will be impossible for you to expect a concert of action with him in carrying out your engagements with the War Department, and asking for such action and advice as I can give on the subject. You further say that under those circumstances you do not see any hope of giving effect to the engagements entered into with the Secretary unless you can look to me for the financial aid required, and after expressing an earnest desire still to be of service to the Government and in the manner indicated by the Secretary of War, under whose direction you came to England, you state that nevertheless should I "think the interest of the Government would be promoted by canceling the contract" signed by me on behalf of the War Department with Mr. Collie and yourself, and would so inform you, that it should at once be done, and that you would immediately return the money (£55,000) which I had caused to be advanced to you on account of the Government. The letter from the Secretary of War which you brought to me, and which stated in some detail the character of the service you were to be engaged in, expressed also in the strongest manner the importance attached by the Secretary to the success of the enterprise, and for which he earnestly invoked every aid or facility in my power to obtain for you the "command of adequate resources." It was because of the character of that letter that I felt it incumbent on me (in the absence of other resources) to obtain for you

*See inclosure No. 9, p. 539.

the sum referred to from the Messrs. Erlanger in advance of the proceeds of the loan. The letters you have shown me from the Secretary of War, dated subsequently to the new orders referring you for guidance, &c., to Major Huse, fully show that the Secretary still anxiously relies on the complete execution of the arrangements entered into with you; nor do I see any reason whatever why those arrangements cannot be fully carried out and in concert between you and the officer to whom you were referred, provided each frankly desires to do so. In my conversations with you I have certainly seen nothing of any other desire on your part. Since the receipt of your letter Major Huse also called on me on the subject to which it refers. The chief difficulty on his part seemed to be about furnishing the money, as nothing, according to his impressions (and I think them correct), can be looked for further from the loan earlier than June, if then. But the general tenor of his conversation showed that he considered the new orders to him from the War Department superseded, or in some way would overrule, the separate duties intrusted to you, and I should entertain, therefore, equally with you an apprehension that without further and explanatory orders from the Department there is not likely to be that concert which the Department had certainly full right to anticipate. Still, I cannot undertake to cancel your contract with the Department. Were I to do so I should run great risk of disappointing expectations from it on which the Secretary manifestly and greatly relies, and I so told Major Huse. As to further advances of money on the part of the Department I regret, so far as I am concerned, I can say no more than so far as anything may rest with me I shall, until otherwise advised by the Secretary, hold that the engagements entered into with you are entirely to be ranked as one of the primary events of the Government.

Yours, very respectfully, &c.,

J. M. MASON.

22A Austin Friars, London, *May 5, 1863.*

[Hon. James A. Seddon,
Secretary of War:]

My Dear Sir: Having written an official letter to you as Secretary of War by this conveyance, it may surprise you that I should send this in addition. I have, however, conferred very freely with the Hon. J. M. Mason, and it is at his suggestion that I have in that letter confined myself to a mere statement of facts and omitted to draw any inferences whatever. He further advises that he cannot see that it would be the least out of place for me to write you privately my views as to the management of the Government business here, and suggests such action as it seems to me would best subserve the public interests. I should feel if I failed to do so that I had omitted to do my duty. You will of course attach to them only as much importance as they may seem to deserve, and I flatter myself (as I have done nothing since my arrival here to lessen your confidence in me) that you will at least give me credit for integrity of purpose in what I say, and not attribute it to personal interest. Since my meeting with Major Huse I have been very much embarrassed as to the course I ought to pursue, especially after Mr. Mason's refusal to advise me to cancel the contract with the Government. At one time I concluded that I would, after investing the £55,000 advanced me by him in the

two vessels I am about sending off, and in additional cargoes to Nassau to meet them there on their next vogage, to return home and dispose of to the Government the fourth interest in these two steamers owned by Collie & Co. and myself, upon such terms as might seem to be fair and equitable, and thus close my connection with the Government; but after full conference with my friends here, including Mr. Mason, I feel that I ought not to do so, and especially after the very satisfactory conference I had a day or two ago with Captain Bulloch, and the assurances of him and Mr. Mason that they will do all they can to facilitate my operations, I have determined to remain here and struggle on as best I can, being assured by Mr. Collie that he will furnish funds to any reasonable extent to carry on our operations until I can hear from you.

One of my reasons for preparing to close up my business here and return is that if I occupied an entirely disinterested position my suggestions might probably carry with them more weight than if those suggestions seemed to be in accordance with my own interests. Trusting, however, that on a review of the whole matter you will place a proper and just estimate on all I say, although remaining here, I shall state fully and freely what I believe to be the necessities of the service here. Every officer here to whom I have had occasion to explain the arrangements I am endeavoring to carry out expresses himself as highly pleased with it except Major Huse. Then naturally I am led to inquire, Why does it not meet his views? I have no hesitation in saying that it is because it takes from the hands of Isaac, Campbell & Co. the purchase of the Government goods. This is the true and, in my opinion, the only reason. Why is he so anxious to retain this business in their hands? He says because they have been so liberal to our Government. I say, no; it is not in their nature to be liberal. They have never had credit here for anything of the sort, and when it is told that they have advanced £500,000 for 2½ per cent. commission, it bears its falsity on its own face. Before they commenced dealing with our Government they had not one-tenth of this amount, and it is very well to inquire who they are. They were formerly contractors with the English Government, but were dismissed as such, and their contracts canceled by the Secretary of War in May, 1858, for alleged bribery of one of its officers. They remonstrated and tried to explain that it was a loan of £500, and not a gift to the receiving officer, but the Secretary of War adhered to his determination and refused to reinstate them. It is true that they went before a committee appointed to examine into the corruption of the Crimean war generally, and in 1859, on the evidence of one of the firm (S. Isaac), the committee reported that it was a loan to the officer, although there was no evidence taken of the debt, and was altogether a very loose transaction. As far as I can learn the English Government has since ventured to do but little with them directly. You have doubtless before you the evidence that they offered to bribe one of our own officers last year. You know whether there was anything in Captain North's character to justify them in making to him such a proposition without daring to make the same to others who had been dealing largely with them for more than a year. At all events, the scorn with which Captain North refused it showed that they would have been quite as safe to have made such a proposal to any one else. The copy of Captain North's letter on this subject has been forwarded by Major Ferguson to Colonel Myers, quartermaster, and doubtless

with it a statement of the fact that Major Huse admitted both to Major Ferguson and Captain North that he had received some commissions on Government purchases since he had been here, which he intended to apply to the payment of his expenses here and the purchase of a library to send as a present to the Ordnance Bureau, at a cost of £1,000 to £1,500. Hearing these reports, Mr. Mason spoke to Major Huse about them, and he said in reply that he had in one instance received a commission which he intended to apply to his expenses and the purchase of books for the Ordnance Bureau, but finding the Government so much pressed for money he had paid the amount over to the credit of his account with Isaac, Campbell & Co.

I cannot help from looking at this in connection with the reports I hear of goods bought at 5 per cent. and charged at 7 per cent., refused guns bought at 35 per cent. and charged at 65 per cent.—although I can gain no absolute evidence of these facts—and especially with the proof that I have that he opposes my arrangements because they take the business out of the hands of a house who proposed to bribe one of our officers. Mr. White, a commissioner sent here by the State of North Carolina, who has had some opportunity of seeing something of Isaac, Campbell & Co., informs me that he entertains of them the same opinion that I do; nor have I seen any man since my arrival here who would say a good word for them except Major Huse. I understand that Mr. Slidell has expressed the opinion in opposition to the arrangement entered into by me. If such is the case it is that Major Huse has prejudiced him as he did Captain Bulloch, by a partial or incorrect statement of the facts, and I have entire confidence that if I had the same opportunity to show him all the facts that he would with the same candor that Captain Bulloch displayed frankly admit that his previous opposition had been based on an incorrect statement of the facts. Major Huse will probably write you that he would cheerfully co-operate with me if there was sufficient Government funds on hand, but from what I know of the financial condition of the Government I have every confidence that in the present condition of the Erlanger loan there would be no difficulty in raising any reasonable amount of money on it if it were under the control of a party who was really anxious to serve the interest of our Government, which I do not believe Major Huse is. I sincerely believe if this loan was properly managed now it would form a basis by which to furnish our Government with all the means in England which it would require during the war. Of course, to do this a few hundred thousand pounds should be borrowed on the loan and invested in fifteen or twenty steamers, and contracts made for the building of ten others to take their places in the event of loss or capture. If this was done immediately we could rely in three or four months upon a quantity of cotton which would reimburse the cost of the steamers before the amount borrowed will be payable by the Erlanger on the contract. Money is very abundant and cheap here, but to command it satisfactorily securities must be presented. No security could be more satisfactory than this contract, the 25 per cent. already paid guaranteeing the prompt payment of the other installments as they mature. It is therefore with much regret that I see the means arising from this loan are to be frittered away without accomplishing any permanent good, and that in a little time our Government will be forced to come upon the market with another loan. It may, and I trust it will, be successful, but it is an operation that will not bear repeating too often.

Believing it absolutely necessary that all the Government business here should be under one control, when I heard of the appointment of Major Huse I thought it a move in the right direction, and met him (without prejudice, except that he was from the North) with every desire to co-operate with him. I am satisfied from what I see and hear that he is not fit for the position, and I sincerely trust it will be your pleasure to select some one now in the Confederate States of high character for integrity and honor, of great business capacity, to come over here and take charge entirely of the financial and commercial affairs of our Government. Let the orders of every description come directly to him, and by him executed through that party that he thinks will do it best. He should have entire control of the finances here, with discretionary power to apply the funds (when enough for all purposes are not to be had) to those in his opinion the most important. Mr. Mason agrees with me that such an arrangement would facilitate the operations of the Government very much, but says that it is very difficult to find such a man. Of course it is, but if we have found a man fit to be President of the Confederate States and others to form his Cabinet, we can find a man fit to occupy the position I suggest, and we can find him, too, among our native-born Southerners. It is useless to talk about allowing money to remain here in the depository idle, as was the case a short time since, subject to the draft of the Secretary of the Treasury, and all the departments of the Government awaiting those drafts, suffering for the money. The operations here, as they are 3,000 miles from the headquarters of the Government, with a blockading fleet intervening, must be controlled by some one here with full discretionary powers. The responsibility of such a position would be very great, and would never be sought by any man who is fit for the position, but we have many patriots with us who would be willing to make the sacrifice upon being assured of the immense amount of good he could accomplish. I trust you will select such a one and send him over promptly; and I beg to repeat, let him be a true-born Southern gentleman, if you please.

With regard to my own affairs, I beg leave to say that I do not usually make many professions, but every interest that I have in this world is embarked in the success of the Confederate States. With its failure I lose all; therefore interest, if I had no patriotism, would induce me to desire to see the Confederate Government pursue the best course for its own interest. I therefore would not desire to stand in its way, and I beg, if on receipt of this letter you think that the interest of our Government would be promoted by closing the contract with Messrs. Collie & Co. and myself, you will have no hesitation in so advising me. On receipt of such advice I will immediately (after sending cargoes to meet the steamers at the islands) return to Richmond and dispose of our fourth interest in the steamers to the Government upon such terms as may seem to be fair and equitable, or divide the steamers, as you prefer. If on the contrary you continue of the opinion that I can serve the Government here, I am sure that you will furnish me with funds independent of Major Huse to enable me to carry on the business upon such a scale as you desire. And in this connection I would beg to remind you that with orders from the commissary for 10,000,000 pounds (say 5,000 tons) meat, besides other wants of tea, candles, soap, &c., and with orders from Secretary of the Navy for about 10,000 tons sundries, including 6,000 tons armor plate, it would require a great number of steamers; and as these articles

are of very little value, costing only a few cents per pound, every steamer that carries them in and brings back a cargo of cotton, which is worth here 40 to 50 cents per pound, would leave here a large fund with which to build other Alabamas and Floridas.

You will, I hope, pardon the length of this letter and see the necessity of my knowing fully your wishes. If I am to remain here it will probably continue until the war is over. In that event I want my family here, and have arranged for them to join me here. It will be quite agreeable, however, to me to return, and indeed such is my preference, so far as my own pleasure and comfort are concerned. I desire you to consider this question only with reference to the interests of our Government, and with whatever you may conclude I shall be perfectly contented.

I remain, my dear sir, yours, very truly,

WM. G. CRENSHAW.

P. S.—Since writing the above I have received a letter from Captain Bulloch, and beg to inclose you a copy.* Although three days ago prejudiced against the scheme by Huse, he speaks out openly and plainly now as to his views, and says in writing exactly what he says verbally. This Major Huse never does, and his excuse, when I called his attention to this fact, was that in his verbal conferences they were always more unreserved, and that in his writing he only said what he thought was necessary. The contrast to me is very refreshing.

W. G. C.

[MAY 5, 1863.—For Seddon to Vance, in relation to desertion among the North Carolina troops, see Series I, Vol. LI, Part II, p. 702.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., May 7, 1863.

Brig. Gen. W. H. C. WHITING,
Commanding, &c., Wilmington, N. C.:

GENERAL: The pressure of engagements, consequent upon the late movements of the enemy around this city, has prevented me from earlier replying to your letter relative to running the blockade at Wilmington. The law of Congress expressly allows the exportation as well of cotton and naval stores as of other things, and it seems to have been the policy of our legislation to encourage rather than impede the running of the blockade. More serious doubt might have been entertained as to this policy originally, when the stock of goods in the Confederacy was unexhausted, and exclusive possession of the cotton and naval stores by the Government might have been a powerful lever in operating on foreign nations; but now there is such destitution among our people of almost all articles of foreign manufacture that it seems almost a matter of necessity that exchange should be allowed by the exportation of our valuable productions. It is my own conviction that such is our true policy, and that all those who introduce articles really useful to the Confederacy are promoting the public weal. I appreciate strongly the temptations presented by the trade to dealing with the enemy and the importation of Yankee manufactures, and I

* Not found.

have no doubt that frequently cargoes derived mainly from the North through neutral ports, if not directly, are introduced.

Of course, when such fact can be ascertained and the parties brought within the provisions of the law passed to preclude such dealing with the enemy, examples should be made and the penalties of the law rigidly enforced. When, too, there is any just reason to suspect that parties engaged in the trade are disloyal and use the facilities afforded by running the blockade for the transmission of intelligence to the enemy, or for any other practices injurious to the Government, they may be subject to arrest, investigation, and, upon satisfactory ascertainment of the facts, to punishment. Whenever, too, peculiar military exigencies, such as threatened attack or the necessity of concealing any proposed movement, require peculiar caution, the sailing of all vessels may be temporarily suspended, or those only liable to suspicion may, at your discretion, be stopped. Beyond the judicious exercise of restrictions, such as those to which I have referred, I do not see how this Department could authorize, or any military commander would be justified to preclude or prohibit, the free exportation, on due compliance with the revenue laws, of any articles of produce. In another way, perhaps when a conviction of the impolicy of such trade in particular instances demands interference, some impediments might, without a violation of express law, be interposed by the influence which the Department or military commanders may exercise over the means of internal transportation. When parties are believed to be substantially engaged in trade with the enemy and evading the spirit of our laws the supply to them of transportation for outward-bound cargoes might be denied; but the exercise of any power like this must be controlled with great discretion, since it must be regarded as through indirect instrumentality, conflicting with the legislation regulating external trade.

I am aware that the suggestions I have made are very general and less specific than may be desirable as instructions, but it is difficult to give orders that may be applicable under the varying circumstances of the case as they arise. Therefore, relying on your own discretion and judgment, I have deemed it more judicious to express generally the judgment and views which are entertained by the Department.

With high esteem, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

HDQRS. DIST. OF TEXAS, NEW MEXICO, AND ARIZONA,
Fort Brown, May 7, 1863.

His Excellency F. R. LUBBOCK,
Governor of Texas, Austin:

SIR: I am instructed by Major-General Magruder to state that, under orders from Lieutenant-General Smith, he has ordered five regiments from the East Sub-District of this State to Louisiana, and 2,000 troops from the Rio Grande frontier to the frontier of Louisiana and Texas. In view of these facts a necessity for an additional number of troops arises, and to meet this demand he has to request that you will call out the troops of the State who have been in the service under the call made by Brigadier-General Hébert, but whose term of service has expired. These troops, it is presumed, can easily be collected and remustered into service for the period of three months, unless sooner discharged. This call is rendered necessary by the fact

that the aspect of affairs in Louisiana may assume so grave a character as to require the movement of troops from this district, whose places must be supplied by the State troops. The general requests that you will also call out such additional number of militia from the northeastern country as you may be able to arm for service and place them at once on a footing for active service in the field. In the case of the 5,000 militia who have been in service, you are requested to give such orders that they will assemble without any delay at their former places of rendezvous. You will please cause the brigadier-general to hold elections for field officers, and report by letter to Brigadier-General Scurry should the major-general commanding not have arrived. Those companies having furnished muster-rolls will in their reorganization be guided and mustered by the muster-rolls already furnished. Copy of the muster-rolls will be transmitted to these headquarters and also to Brigadier-General Scurry. You will please cause the brigade commanders to report immediately upon their arrival at their respective camps the fact to these headquarters and to Brigadier-General Scurry without the slightest delay. It being understood that some of these brigades failed to comply with General Orders, No. 50, January 20, 1863, from these headquarters, in not turning over their arms, the general wishes the brigade commanders to report the number of companies, the strength of each company, and also the number and kind of arms in the hands of each company.

The ordnance officer and quartermaster at Houston, Tex., have been directed to turn over, on proper application, the arms, ammunition, cooking utensils, and camp and garrison equipage, according to the receipts taken at the time these articles were turned over by the brigade officers. These troops are at once needed on the Louisiana frontier, and Brigadier-General Scurry has been directed to make the necessary arrangements for their support by establishing at Harrisburg depots with ninety days' rations for 5,000 militia, and also at some convenient point on the Louisiana and Texas frontier on the Nacogdoches road, placing there also ninety days' rations for 5,000 militia, if they shall be called out by you and armed by the State. The general requests that you call out all the available forces not less than the above number, and cause them to be organized and assembled ready to meet the enemy whenever necessary. I have the honor to inclose a copy of General Orders, No. 17, from these headquarters, with the remark that as far as consistent with letter its provisions will be adopted; also General Orders, No. 16, for the information of brigade commanders, which you will please cause to be furnished them.*

I have the honor to be, Governor, very respectfully, your obedient servant,

EDMUND P. TURNER,
Captain and Assistant Adjutant-General.

GENERAL ORDERS, No. 57. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, May 8, 1863.*

The operation of paragraph IV, General Orders, No. 28, March 12, 1863, from the Adjutant and Inspector General's Office, is so far modified for the present as to allow payment of officers in hospitals

* Inclosures not found.

without the certificate of last payment, as required in said Orders No. 28; but the quartermaster making such payment will furnish certificates as heretofore required of him.

By order:

S. COOPER,
Adjutant and Inspector General.

MOBILE, *May 10, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

DEAR SIR: Our country is now in the deepest distress, and if ever unity of sentiment and harmony of feeling was needed it is now. If ever it was desirable to denude the North and weaken their action and counsels it is now. Yet there is an agency at work in Richmond, purely Southern in feeling and sentiment, which is creating not only distrust among ourselves, but is uniting the North and intensifying the war feeling against the South. I allude to the course of the Enquirer. I am satisfied that it does not represent the views and sentiments of Mr. Davis; yet it is looked upon throughout the South as his organ, and at the North (if I can rely on rumor) is considered as speaking *ex cathedrâ* on all political subjects connected with the war. This is not the gloomy feelings of a worn-out man, but the considerate judgment of one not a bad judge of public sentiment. The great objection to the war at the North is that it cannot restore the Union, but they hold that peace will. Why not permit them quietly to indulge that belief until their armies are disbanded? The course of the Enquirer is to unite the feeling of all parties in a war of destruction. The views, too, put forth by the Enquirer would seem to indicate that all power over life and liberty should be intrusted to the President. Now, I know nothing is more foreign from his views, yet the Enquirer is fastening it on the public mind that such are the views of the President and his Cabinet. Hence doubts, mistrusts, and the want of that full confidence that did once and ought now to exist among us in the Executive. I assure you that some step ought to be taken to disabuse the public mind at home as well as at the North. Men who once had confidence in my opinion say in reply to my declarations that the Enquirer does not speak the sentiments of the President. Does it not publish the laws, receive the public patronage, and has it ever been publicly denied that it is not the Government organ? There is no reasoning with them in the absence of some distinct disavowal of the sentiments put forth by that paper. I do not know that a letter from me would reach the eye of the President in his present condition. I therefore write you and beg of you to bring this matter before him. Good will come of it; evil cannot.

Yours, very truly,

E. S. DARGAN.

CONFEDERATE STATES OF AMERICA, TREASURY DEPT.,
Richmond, May 11, 1863.

Hon. J. A. SEDDON,
Secretary of War:

SIR: In reply to the proposal of Colonel Gorgas submitted by you to furnish 5,000 bales of cotton at Charleston or Wilmington, I would respectfully state that it would take nearly one-third of all the cotton I have in South Carolina and Georgia. As these deposits will be

required to meet the financial arrangements of the Government, the cotton required by you had better be purchased. You are in a better condition than I am to make these purchases, as you have money at your command, and I respectfully offer you the use of my agents to make the purchases for you. This will prevent our agents bidding against each other.

Respectfully, your obedient servant,

C. G. MEMMINGER,
Secretary of the Treasury.

[First indorsement.]

MAY 14, 1863.

The Commissary Bureau will order the purchase of cotton to the amount required to meet its contracts. I would advise the employ of some one or more of the agents employed by the Treasury. The Quartermaster-General will have to take the same precaution.

J. A. S.,
Secretary.

[Second indorsement.]

OFFICE COMMISSARY-GENERAL OF SUBSISTENCE,
Richmond, Va., May 16, 1863.

Contents noted and respectfully forwarded to Quartermaster-General.

L. B. NORTHROP,
Commissary-General of Subsistence.

[Third indorsement.]

QUARTERMASTER-GENERAL'S OFFICE,
May 19, 1863.

Contents noted and respectfully returned to the Secretary of War.

A. C. MYERS,
Quartermaster-General.

GENERAL ORDERS, No. 58. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, May 11, 1863.*

* * * * * * *

II. All persons, whether citizens or soldiers, are expressly prohibited from using or in any manner interfering with fuel or wood cut and delivered for the use of railroads or railroad companies. It is of the first importance that this order should be observed, and it will be strictly obeyed and enforced by the Army.

By order:

S. COOPER,
Adjutant and Inspector General.

[MAY 11, 1863.—For proclamation of Governor Vance in relation to desertions from the Army, see Series I, Vol. LI, Part II, p. 706.]

GENERAL ORDERS, No. 59. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, May 12, 1863.*

I. The attention of regimental commanders throughout the Army is called to the requirements of paragraph I, General Orders, No. 69, of

1862, which makes it the duty of adjutants to inquire into and report to this office all cases of slaves serving with their respective regiments, without written authority from their masters. It is especially required of all regimental commanders to enforce a due observance of said order, which is hereby extended to include commanders of posts and senior surgeons of hospitals, who will make similar reports, so far as they relate to their respective commands, to those required from adjutants of regiments.

II. It will be the duty of a surgeon in charge of a hospital to make a separate provision return for all the persons attached to the hospital who may be entitled to rations, except the sick and wounded soldiers, and the issuing commissary will issue to said persons the same rations that are issued to soldiers in the field. These rations will not be commuted, if the commissary can issue in kind. If he cannot issue in kind, the ration may be commuted, at 60 cents per ration, on the certificate of the surgeon as to the dates and facts.

Separate and distinct provision returns will be made for the sick and wounded soldiers in the hospital, according to the form hereunto annexed, marked A.* No portion of the subsistence stores drawn for the sick and wounded will be otherwise appropriated.

The attention of the medical directors and inspectors is particularly directed to this prohibition.

III. So much of paragraph V, General Orders, No. 24, of 1862, as requires ordnance-sergeants to make returns of surplus stores with regiments to the Ordnance Bureau is revoked. All the returns required by the regulations of ordnance stores in the possession of regiments or battalions, other than artillery, will be made by commanding officers of the same.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 60. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, May 13, 1863.*

I. The exigencies of the service requiring a large number of artillery horses, all public horses suitable for that service, employed in transportation or otherwise with armies in the field, will be turned over to the chief quartermasters of said armies, and will supply their places where necessary with mules. The chief quartermasters of armies are charged with the prompt execution of this order, under the direction of the commanding generals.

II. At posts or depots other than those immediately belonging to armies in the field, all public horses suited for artillery will be collected under the orders of Maj. A. H. Cole, inspector-general field transportation, for the purpose named above, and mules substituted where necessary.

By order:

S. COOPER,
Adjutant and Inspector General.

[MAY 13, 1863.—For Vance to Davis, in relation to desertion among North Carolina troops, &c., see Series I, Vol. LI, Part II, p. 709.]

*Omitted.

RICHMOND, *May 14, 1863.*

General R. E. LEE,
Commanding, Fredericksburg, Va.:

GENERAL: I am directed by the Secretary of War to inform you that in future no substitute for a soldier in service will be received unless the substitution first have the approval of the general commanding the army or department to which the soldier belongs.

I am, general, very respectfully, &c.,

H. L. CLAY,
Assistant Adjutant-General.

(Same sent to Generals Joseph E. Johnston, G. T. Beauregard, B. Bragg, E. K. Smith, D. H. Hill, and S. G. French.)

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., May 14, 1863.

The following act of Congress is published for the information of all concerned:

AN ACT to repeal certain clauses of an act entitled an act to exempt certain persons from military service, etc., approved 11th October, 1862.

1. *The Congress of the Confederate States of America do enact*, That so much of the act approved October 11th, 1862, as exempts from military service "one person, either as agent, owner or overseer, on each plantation on which one white person is required to be kept by the laws or ordinances of any State, and on which there is no white male adult not liable to military service, and in States having no such law, one person, as agent, owner or overseer, on each plantation of twenty negroes, and on which there is no white male adult not liable to military service," and also the following clause of said act, to wit, "and, furthermore, for additional police for every twenty negroes, on two or more plantations within five miles of each other, and each having less than twenty negroes, and on which there is no white male adult not liable to military duty, one person, being the oldest of the owners or overseers on such plantation," be and are hereby repealed.

2. For the police and management of slaves there shall be exempted one person on each farm or plantation, the sole property of a minor, a person of unsound mind, a *femme sole*, or a person absent from home in the military or naval service of the Confederacy, on which there are twenty or more slaves: *Provided*, The person so exempted was employed and acting as an overseer previous to the 16th April, 1862, and there is no white male adult on said farm or plantation who is not liable to military duty; which fact shall be verified by the affidavits of said person and two respectable citizens, and shall be filed with the enrolling officer: *And provided*, The owner of such farm or plantation, his agent or legal representative, shall make affidavit and deliver the same to the enrolling officer, that after diligent effort no overseer can be procured for such farm or plantation not liable to military duty: *Provided further*, That this clause shall not extend to any farm or plantation on which the negroes have been placed by division from any other farm or plantation since the 11th day of October, 1862: *Provided further*, That for every person exempted as aforesaid, and during the period of such exemption, there shall be paid annually into the public Treasury by the owners of such slaves the sum of $500.

3. Such other persons shall be exempted as the President shall be satisfied ought to be exempted, in districts of country deprived of white or slave labor indispensable to the production of grain or provisions necessary for the support of the population remaining at home, and also on account of justice, equity, and necessity.

4. In addition to the State officers exempted by the act of October 11, 1862, there shall also be exempted all State officers whom the Governor of any State may claim to have exempted for the due administration of the government and laws thereof; but this exemption shall not continue in any State after the adjournment of the next regular session of its Legislature, unless such Legislature shall,

by law, exempt them from military duty in the Provisional Army of the Confederate States.

Approved May 1, 1863.

G. J. RAINS,
Brigadier-General and Superintendent.

GENERAL ORDERS, No. 61. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, May 15, 1863.*

I. Farmers upon whose premises horses and mules have been or may hereafter be left by the enemy are admonished to pursue the requirements of the laws of their respective States respecting astrays so far as to have the same properly valued and the valuation thereof duly recorded; and where it is not apparent that such property was the property of the United States Government, to have advertisement thereof made as required by law.

II. Upon compliance with the above admonition the Government will not assert any adverse claim to such horses and mules, unless they shall exceed in value the property whereof the citizens having possession may have been despoiled by the enemy, and then only to the extent of such excess in value.

III. All officers of the Army will respect the rights of citizens as defined and conceded in the foregoing sections.

By order:

S. COOPER,
Adjutant and Inspector General.

22A AUSTIN FRIARS, LONDON, *May 15, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

SIR: I had this pleasure — instant, copy of which is inclosed.* I continue without any of your favors. The steamer Hebe left here on 12th instant, and but for bad weather in the Channel would now be at sea. She will probably leave Falmouth to-morrow; or, if not, certainly the next day. A portion of the cargo I had ordered down for her (account of your Department) was shut out, which I regret exceedingly, our portion of the cargo being already on board. It is now in excess of our portion. It shall be arranged in next cargo. In order to arrange it as far as possible in this I have entered on commissary invoice 183 bags coffee, and on Navy Department invoice 50 boxes tin plates that I had bought for ourselves; but yet our portion is too large. Major Huse refuses yet to pay the draft Mr. Bosher passed to A. Collie & Co., and on the promise of payment of same Messrs. A. Collie & Co. authorize the purchase of over £40,000 provisions in Liverpool. We are now sending of them one cargo to Nassau and another to Bermuda, to meet there steamers Venus and Hebe on their return. The advance, however, that I will have to call upon Mr. Collie to make me in order to keep on is so great that I fear I shall be unable to send forward the balance of the provisions, but will have to borrow money on them. Especially do I fear this since Captain Bulloch tells me he can furnish me with no aid shortly. I hope the Diana will be ready in all this month for cargo.

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*Not found as an inclosure, but probably that of May 5, p. 543.

Anxiously awaiting your favors and begging your attention to a necessity of providing coal for these steamers,

I remain, your most obedient,

WM. G. CRENSHAW.

GENERAL ORDERS, No. 62.

ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, May 16, 1863.*

I. In accordance with an act to amend an act entitled an act to better provide for the sick and wounded of the Army in hospitals, approved May 1, 1863, the following modifications in General Orders, No. 95, last series, from this office, are published:

The computed value of rations for sick and disabled soldiers in hospitals (field or general) will, until further orders, be $1.25.

II. Hospital laundresses will be paid $25 per month and allowed rations and quarters.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA,
QUARTERMASTER-GENERAL'S OFFICE,
Richmond, May 16, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I respectfully submit for your information and consideration the accompanying letter from Maj. J. B. Ferguson, quartermaster, dated London, April 18, 1863. In the communication which I had the honor to address to you on the 22d ultimo I referred to the mercantile experience and ability of this officer as qualifying him particularly for the duty of purchasing supplies for the Quartermaster's Department and enabling him to secure much more favorable terms than could be obtained by Major Huse; and I submitted that the public interests would be most decidedly promoted if the funds appropriated for the purchase of quartermaster's supplies in Europe were placed directly in the hands of Major Ferguson. The letter from that officer, herewith inclosed, confirms very distinctly the correctness of the views I then expressed, and shows that the operations of an inexperienced purchasing agent, as Major Huse must be so far as this class of purchases is concerned, will entail unnecessary pecuniary loss upon the department. I beg, therefore, to ask your recurrence to my former communication, and to repeat the request therein made, that Major Ferguson may be directly supplied with funds and be empowered to act in the scope of his particular duties abroad, independently of Major Huse, who, it may be proper to add, was never constituted by this department its agent abroad or authorized to purchase supplies, although, of course, they proved both valuable and useful to the service at a time when the resources of the Quartermaster's Department were limited. In view of the fact that Major Huse is unfitted by education and previous pursuits in this service, and referring particularly to the statement made by Major Ferguson that he has borne relations to a mercantile house, from which large purchases were made by him, in my judgment, inconsistent with the obligations resting upon an officer representing the pecuniary interests of the Government in a foreign country, I deem it a duty to express my

unwillingness that Major Huse should continue to be an agent of this department.

I am, sir, very respectfully, your obedient servant,

A. C. MYERS,
Quartermaster-General.

[First indorsement.]

MAY 18, 1863.

Referred to Colonel Gorgas for special consideration.

This matter seems of serious nature. The taking of a commission is altogether inconsistent with the purpose and duty of a trusted agent of the Department. The matter should be fully investigated.

J. A. S.,
Secretary.

[Second indorsement.]

QUARTERMASTER-GENERAL'S OFFICE,
June 1, 1863.

The inclosed letter* of Colonel Gorgas has been noted, and the papers are respectfully returned to the Secretary of War.

A. C. MYERS,
Quartermaster-General.

[Third indorsement.]

JUNE 3, 1863.

The Quartermaster's indorsement is in very good spirit. I hope it will prove that Major Huse and Major Ferguson have only been each so zealous in his own branch of business as to cause some little collision between them, which a better acquaintance will mutually remove.

An order has been made to have Major Huse's accounts settled and verified by vouchers, &c.

J. A. S.,
Secretary.

[Inclosure.]

LONDON, *April 18, 1863.*

Col. A. C. MYERS,
Quartermaster-General, Richmond, Va.:

COLONEL: In my letter to you of the 11th of April I stated that there were other reasons than those mentioned in my letter of the 8th of December for my declining to turn over the money I had in hand to Major Huse. I will now proceed to give them:

In the first interview I had with Major Huse he informed me that his indebtedness to Messrs. S. Isaac, Campbell & Co. was, in round numbers, £500,000, and that over £100,000 had been used for the Quartermaster's Department, and requested me to pay over to him the funds I had remaining on hand. I told him I would consider the matter. The subject was dropped for the time being, and the following conversation ensued: Major Huse informed me that it had been stated that he was interested in the house of S. Isaac, Campbell & Co., but such was a slander. He said it was true that upon some of his purchases he had received a commission, but he intended to use a part of the money to pay his traveling expenses, and the balance, amounting to £1,000, to purchase a military library, which he intended to present to the Ordnance Department. I expressed the opinion

* See Gorgas to Seddon, p. 564.

that the amount of commission should have been deducted from the face of the invoices in the shape of a discount, and that I would advise him to postpone his donation to the Ordnance Department until his debts were paid and our Army shod and clad. A few evenings after this there was a general meeting of all the Government agents, consisting of Messrs. Spence & Prioleau, Captains Maury, Bulloch, and North, of the Navy, Major Huse, and myself. In that meeting the financial affairs were discussed and the wants of each agent presented. It was determined to withdraw all of our securities from the market and wait the result of Messrs. Erlanger & Co.'s proposition to the Government. At the close of said meeting Major Huse again insisted that I should turn over to him the funds I had remaining on hand, but it was the unanimous opinion of all present that my instructions forbade my doing so. After the meeting was over a conversation occurred between an officer of the Navy and myself, the sum and substance of which you will find in a copy of his letter, inclosed. The next morning I called at Major Huse's office, and he showed me the invoices of the articles sent out by the Justitia. My familiarity with some of the classes of goods mentioned in said invoice led me to believe that extortionate prices had been charged for them. I requested Major Huse to show me a sample of the 12,000 yards sent out at 7s. 6d. per yard. I took a sample of it, and I feel no hesitation in saying that a similar article can be furnished at from 4s. 6d. to 4s. 10d. per yard, equal in every respect to the cloth sent out. You will see by this that this article (which I selected from the fact of its being a large item in our expenditures) has been charged more than 50 per cent. over what it could have been bought for for cash. In addition to this a commission of 2½ per cent. for purchasing is charged on the face of said invoice.

From the foregoing you will perceive there were three prominent facts for me to consider: First, the admission of Major Huse that he had received a commission on some of his purchases; second, that the senior partner of the house through whom nearly all of his business had been transacted offered to divide a commission with an officer of the Navy, and third, that exorbitant prices had been charged for such articles as I could identify. I drew my own inferences, and came to the conclusion that the wisest and best thing for the country was to disburse the funds intrusted to my care as I was instructed to do. I left London and took up my quarters in the center of the great manufacturing districts of England. I have made my purchases in a great measure without the aid of commission men, relying on the knowledge and experience acquired by twenty years' service in the mercantile profession. I can but hope that my purchases may reach their destination. I desire that they be rigidly inspected and compared with those that have preceded them. In the last paragraph of your letter you say that you desire that I will remain to complete my purchases under your instructions, consulting with Major Huse. I am willing and ready to consult and co-operate with any officer of the Government who has its interest at heart, but I am very certain you will justify me in declining to transact my business with any house who would divide with me a commission on any transaction for the Government. If you desire me to remain out here I ask to be allowed to control the means intended to be used for the Quartermaster's Department, every cent of which will be accounted for properly.

I am, colonel, very respectfully, your obedient servant,

J. B. FERGUSON, JR.,
Major and Quartermaster.

[Sub-inclosure.]

BRIDGE OF ALLAN, N. B., *April 1, 1863.*

Major FERGUSON:

DEAR SIR: Your letter of March 30 has just been received. In that letter you ask me to do you the favor to state in writing the substance of a conversation I had with you shortly after your (my) arrival in this country, touching an offer made me by S. Isaac, of the firm of S. Isaac, Campbell & Co., to divide a commission with me on a business transaction for the Government of the Confederate States, and whether or not I regarded that offer as an attempt to induce me to combine with him (S. Isaac) for the purpose of defrauding the Confederate Government, and whether I rejected the same on that ground.

In reply to the foregoing I would say that the subject of the conversation to which your letter refers may be briefly stated as follows: That I did call on S. Isaac, of the firm of S. Isaac, Campbell & Co., on a matter of business; that Mr. Isaac did in the course of conversation make an offer to divide with me a commission of 5 per cent. on a business transaction for the Confederate Government, and that I did regard that offer as an attempt to induce me to enter into a transaction to defraud the Confederate Government, and that I did reject the same on that ground.

Very respectfully, &c.,

JAMES H. NORTH,
Commander, C. S. Navy.

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, May 19, 1863.

By an act of Congress May 1, 1863 (copies of which will be furnished for distribution so soon as printed*), the general exemption of overseers as a class for the hitherto prescribed purpose, "to secure the proper police of the country," ceases to be obligatory, and the obligatory exemption is confined to certain enumerated classes of plantations. In a separate section of the same act, however, the President is intrusted with a general discretion to allow exemptions in any class of the community in cases of justice or necessity.

In construing this legislation as a whole, it is to be presumed that Congress, in view of the difficulty of fixing a general rule of equally just application in the various parts of the country, intended to leave the necessary rules of exemption in unenumerated classes to be fixed by Executive discretion.

A violent and most injurious change would probably result from the immediate withdrawal of all exemptions formerly provided by the police clause and not now expressly authorized. It is therefore necessary to proceed with deliberation and discretion.

The commandants of conscripts for the several States will make report of such cases or classes of cases in which the necessities of the community appear manifestly to require the exemption of any portion of the overseers, in whose hands now rests the supervision and police of our negro labor. Temporary indulgence will meantime be extended in such cases until Executive pleasure be known.

The preparatory enrollment to bring into service those newly rendered liable will, however, be actively prosecuted.

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* Published under date of May 14, p. 553

In no case will this Bureau entertain applications for exemptions proposed on grounds of necessity unless a reasonable amount of sworn testimony be forwarded. This rule is imperative to avoid error growing out of deception by petitioners or mistaken judgment by forwarding officers.

G. J. RAINS,
Brigadier-General and Superintendent.

(To Commandants of Conscripts.)

GENERAL ORDERS, No. 65. [ADJT. AND INSP. GENERAL'S OFFICE,] *May 21, 1863.*

I. The following schedules of prices for articles named therein, adopted by commissioners appointed pursuant to law, for the States of Virginia and Georgia, respectively, are announced for the information of all concerned, and the special attention of officers and agents of the Government is directed thereto:

II. VIRGINIA.

SCHEDULE A.

RICHMOND, *May 18, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: The commissioners appointed under section 5 of the bill recently passed by the Confederate Congress regulating impressments constitute a board whose duty it shall be to fix upon the prices to be paid by the Government for all property impressed or taken for the public use aforesaid, so as to afford just compensation to the owners thereof. Said commissioners shall agree upon and publish a schedule of prices every two months, or oftener if they shall deem it proper.

In accordance with the foregoing requisition we respectfully lay before you the following schedule of prices for the ensuing two months. Owing to the difficulty in obtaining satisfactory information as to pork, beef, and materials of clothing, &c., we have postponed their appraisement till our next assignment. It is proper to add that Mr. W. B. Harrison was invited to act as third commissioner, and that this appraisement receives the unanimous approval of the commissioners.

The following are the maximum prices to be paid for the articles appraised at all cities and usual places of sale, and when impressed elsewhere the same prices are to be paid elsewhere, less the cost of transportation to the city or usual place of sale to which the article would go ordinarily for sale from that neighborhood, or less the cost of transportation to the point at which the Government needs the article and wishes it to be sent, provided that in no case the amount deducted for transportation as above shall exceed 25 cents per bushel for grain and 25 cents per hundredweight for long forage, flour, bacon, iron, &c.; in addition to the established price of transportation, the Government to pay all legal tolls, and, where farmers cannot procure nails for baling forage, Government to furnish the same at cost, which will be deducted from the established price of baling:

	Article.	Quality.	Description.	Quantity.	Price.
1	Wheat	Prime	White	Per bushel of 60 pounds	$4.50
2	Flour	Good	Superfine	Per barrel of 196 pounds	22.50
3	Corn	Prime	White	Per bushel of 56 pounds	4.00
4	Unshelled corn	do	do	do	3.95
5	Corn-meal	Good		Per bushel of 50 pounds	4.20
6	Rye	Prime		Per bushel of 56 pounds	3.20
7	Cleaned oats	do		Per bushel of 32 pounds	2.00
8	Wheat bran	Good		Per bushel of 17 pounds	.50
9	Shorts	do		Per bushel of 22 pounds	.70
10	Brown stuff	do		Per bushel of 28 pounds	.90
11	Ship stuff	do		Per bushel of 37 pounds	1.40
12	Bacon	do	Hog round	Per pound	1.00
13	Salt pork	do		do	1.00
14	Lard	do		do	1.00
15	Horses	First class	Artillery, &c	Average price per head	350.00
16	Wool	Fair	Washed	Per pound	3.00
17	Peas	Good		Per bushel of 60 pounds	4.00
18	Beans	do		do	4.00

LIBRARY OF THE

	Article.	Quality.	Description.	Quantity.	Price.
19	Potatoes	Good	Irish	Per bushel	$4.00
20	do	do	Sweet	do	5.00
21	Onions	do		do	5.00
22	Dried peaches	do	Peeled	Per bushel of 38 pounds	8.00
23	do	do	Unpealed	do	4.50
24	Dried apples	do	Peeled	Per bushel of 28 pounds	3.00
25	Hay, baled	do	Timothy or clover	Per 100 pounds	4.00
26	do	do	Orchard or herd grass	do	4.00
27	Hay, unbaled	do	do	do	3.70
28	Sheaf oats, baled	do		do	4.00
29	Sheaf oats, unbaled	do		do	3.70
30	Blade fodder, baled	do		do	4.00
31	Blade fodder, unbaled.	do		do	3.70
32	Shucks, baled	do		do	2.50
33	Shucks, unbaled	do		do	2.20
34	Wheat straw, baled	do		do	1.30
35	Wheat straw, unbaled.	do		do	1.00
36	Pasturage	do	Interior	Per head per month	3.00
37	do	do	Near cities	do	6.00
38	Salt	do		Per bushel of 50 pounds	5.00
39	Soap	do		Per pound	.30
40	Candles	do	Tallow	do	1.00
41	Vinegar	do	Cider	Per gallon	1.00
42	Whisky	do	Trade	do	3.00
43	Sugar	do	Brown	Per pound	1.00
44	Molasses	do	New Orleans	Per gallon	8.00
45	Rice	do		Per pound	.15
46	Coffee	do	Rio	do	3.00
47	Tea	do	Trade	do	10.00
48	Vinegar	do	Manufactured	Per gallon	.56
49	Pig-iron	do	No. 1 quality	Per ton	125.00
50	do	do	No. 2 quality	do	110.00
51	do	do	No. 3 quality	do	100.00
52	Bloom iron	do		do	180.00
53	Smiths' iron	do	Round, plate, and bar	do	380.00
54	Leather	do	Harness	Per pound	2.60
55	do	do	Sole	do	2.40
56	do	do	Upper	do	2.80

We respectfully suggest to the Secretary of War to instruct the agents of the Government not to impress any article of food going into cities or towns, or when held therein by retail dealers in small quantities for the daily or weekly consumption of the inhabitants; but this restriction not to apply to such articles held by speculators or those holding them up for higher prices.

E. W. HUBARD.
ROBERT GIBBONEY.
WM. B. HARRISON.

SCHEDULE B.—*Hire of labor, teams, wagons, and drivers.*

			Price.
1	Baling long forage	Per 100 pounds	$0.30
2	Shelling and bagging corn; sacks furnished by the Government.	Per 56 pounds	.05
3	Hauling	Per hundredweight per mile	.06
4	Hauling grain	Per bushel per mile	.03
5	Hire of 2-horse team, wagon, and driver; rations furnished by owner.	Per day	10.00
6	Hire of same; rations furnished by the Government	do	5.00
7	Hire of 4-horse team, wagon, and driver; rations furnished by owner.	do	13.00
8	Hire of same; rations furnished by the Government	do	6.50
9	Hire of 6-horse team, wagon, and driver; rations furnished by owner.	do	16.00
10	Hire of same; rations furnished by the Government	do	8.00
11	Hire of laborer; rations furnished by owner	do	2.00
12	Hire of same; rations furnished by the Government	do	1.25
13	Hire of same; rations furnished by owner	Per month	40.00
14	Hire of same; rations furnished by the Government	do	20.00

E. W. HUBARD.
ROBERT GIBBONEY.
WM. B. HARRISON.

III. GEORGIA.

SCHEDULE NO. 1.—*Maximum prices fixed by the commissioners for the State of Georgia for produce and army supplies delivered at the usual shipping-points on the following-named railroads, to continue in force until the 15th of June, 1863.*

Articles.	Quality.	Description.	Quantity	Macon and Western, A. & W. P., Augusta and Savannah, Western and Atlantic, Rome, Ga., and the Georgia Railroad and its branches.	Muscogee, Central, Savannah, Albany and Gulf, Southwestern and its branches.
Wheat	Prime	White	Per bushel of 60 pounds	.....	.....
Flour	Good	Superfine	Per barrel of 196 pounds	$35.00	$40.00
Do	do	Less cost sacks	Per sack of 98 pounds	17.50	20.00
Corn	Prime	Shelled	Per bushel of 56 pounds	2.25	1.50
Do	do	Unshelled	Per bushel of 70 pounds	2.10	1.40
Corn-meal	Good	.....	Per bushel of 48 pounds	2.40	1.60
Hogs	Fair	Net	Per hundred	30.00	30.00
Do	do	Gross	do	20.00	20.00
Bacon	Good	Sides	Per pound	.85	.85
Do	do	Hams	do	.80	.80
Do	do	Shoulders	do	.75	.75
Do	do	Jowls	do	.30	.30
Pork	do	Salt	do	.60	.60
Lard	do	.....	do	.75	.75
Beef	Fair	Fresh, net	do	.25	.18
Do	Good	Salt or corned	do	.....	.....
Do	do	Dried	do	.50	.40
Do	do	Gross	do	.18	.12
Peas	do	.....	Per bushel of 60 pounds	2.25	1.50
Beans	do	.....	do	.....	.....
Potatoes	do	Irish	do	.....	.....
Do	do	Sweet	do	2.60	1.50
Onions	do	.....	do	2.50	2.50
Peaches	do	Dried, peeled	Per bushel of 38 pounds	6.00	6.00
Do	do	Dried, unpeeled	do	4.00	4.00
Apples	do	Dried	Per bushel of 28 pounds	4.00	4.00
Hay	do	Baled	Per 100 pounds	.....	.....
Do	do	Unbaled	do	.....	.....
Clover or timothy	do	Baled	do	.....	.....
Do	do	[Un]baled	do	.....	.....
Sheaf oats	do	[Baled]	do	.....	.....
Do	do	Unbaled	do	.....	.....
Blade fodder	do	Baled	do	2.50	2.00
Do	do	Unbaled	do	1.50	1.00
Sugar	do	Brown	Per pound	.75	.75
Molasses	do	.....	Per gallon	4.50	4.50
Rice	do	Old	Per pound	.10	.10
Do	do	New	do	.12	.12
Salt	do	.....	do	.....	.....
Tallow	do	.....	do	.75	.50
Whisky	do	By Government contract.	Per gallon	.....	.....
Do	do	When impressed	do	.....	.....
Brandy	do	Peach	do	.....	.....
Do	do	Apple	do	.....	.....

We, the commissioners appointed in accordance with the provisions of the impressment act for the State of Georgia, after mature and careful deliberation, have agreed upon the foregoing tariff of prices, which we think fully meets the contemplation of the law in fixing a just compensation for the articles mentioned.

We need not add anything to the recent patriotic address of our most excellent President as to the duty of producers in this crisis. Blind, indeed, must be the judgment and cold the patriotism that will not rally to the support of an Army whose glorious triumphs have shed such undying luster upon our national history. Standing as it does a wall of brass between us and our malignant foes, shall it feel the pinchings of hunger when our granaries are filled to overflowing and our

broad fields are waving with rich grain nearly ready for the sickle? The Government demands only your surplus supplies, and for them will pay remunerative prices. Fortify the hearts of our soldiers, then, by showing that while they illustrate the chivalry of Georgia upon the tented field, we at home are ready to dispense with all superfluities, relinquish all luxuries, and make any sacrifice necessary to maintain and perpetuate our honor and our liberties. While we may have erred in our judgment as to what is a fair compensation for some of the articles in the above schedule of prices, we feel that we have stood impartially between the Government and the producer, and while protecting one have not lost sight of the other. We have omitted to annex prices to certain articles, either on account of their scarcity or because the Government is fully supplied. At the proper time prices will be fixed for all.

JOHN E. MORGAN,
U. B. WILKINSON,
Commissioners.

By order:

S. COOPER,
Adjutant and Inspector General.

COLLECTOR'S OFFICE,
Charleston, S. C., May 21, 1863.

General THOMAS JORDAN,
Chief of Staff:

GENERAL: Referring to my letter of the 16th instant, I beg to inclose you a statement of the foreign commerce of this port from 1st July, 1861, to 30th March, 1863.

I am, very respectfully, your obedient servant,

W. F. COLCOCK,
Collector.

[Inclosure.]

Statement of the commerce of the port of Charleston with foreign countries from the 1st of July, 1861, to 30th of March, 1863.

Period.	Vessels entered.	Vessels cleared.	Number of bales.	Sea island.	Upland.	Value.
				Pounds.	*Pounds.*	
From July 1 to Sept. 30, 1861	2	5	140	.....	72, 937	$6, 657
From Oct. 1 to Dec. 31, 1861	3	11	4, 675	242, 030	1, 752, 119	534, 902
From Jan. 1 to Mar. 30, 1862	6	28	2, 195	20, 459	1, 034, 299	97, 021
From Apr. 1 to June 30, 1862	10	41	1, 345	.....	671, 128	59, 007
From July 1 to Sept. 30, 1862	15	7	4, 101	213, 954	1, 689, 375	223, 511
From Oct. 1 to Dec. 31, 1862	7	13	10, 220	243, 695	4, 411, 669	954, 009
From Jan. 1 to Mar. 30, 1863	19	25	9, 374	503, 131	3, 701, 364	1, 179, 369
Total	62	130	32, 050	1, 223, 269	13, 332, 891	3, 054, 476

Statement of revenue received from July 1, 1861, to March 30, 1863.

July 1 to September 30, 1861	$6, 543. 71
October 1 to December 31, 1861	11, 439. 06
January 1 to March 30, 1862	37, 916. 98
April 1 to June 30, 1862	39, 844. 66
July 1 to September 30, 1862	83, 702. 80
October 1 to December 31, 1862	57, 549. 27
January 1 to March 30, 1863	173, 014. 64
Total	410, 011. 12
Month of April, 1863	28, 509. 78

During the month of April five vessels entered and fourteen cleared. From 1st to 20th of May, 1863, seven vessels entered and six cleared.

W. F. COLCOCK,
Collector.

HEADQUARTERS DEPARTMENT OF EAST TENNESSEE,
Knoxville, May 21, 1863.

General S. COOPER,
Adjutant and Inspector General, Richmond, Va.:

SIR: The civil condition of East Tennessee is a subject of solicitude with me. Under the pressure of the enforcement of the conscript act several thousand of the young men of East Tennessee have fled the territory and entered the ranks of the Federal Army. Large numbers of others, to avoid the conscription, have fled from their homes and are lurking in the mountains, the woods, and the caves. They are chiefly men of families, who desire to avoid all military service in either army and yet wish to remain near their families. Many of these men, rendered desperate by their situation, are infesting the roads, waylaying the conscript officers, and, urged alike by necessity and a spirit of revenge and bitterness, are stealing horses and destroying the cattle, hogs, and products within their reach. Occasionally their depredations extend to the destruction of barns and houses and injury to crops within their reach. The civil arm is paralyzed; the bitterness of faction is intense. The enforcement of order by the military arm, however we may seek to restrain its enemies, will often be attended by instances of unnecessary severity, giving room for the charge of persecution. In whatever light we view it the question is surrounded by difficulties that have doubtless attracted oftentimes the attention of the President. After considering the question as fully as my time will permit, I am convinced that the following policy would be the best solution to the difficult problem:

First. To exempt from conscription for a certain period—say six or eight months—such fugitives as within a limited time will return to the cultivation of their fields, and will lead a life of quiet and obedience to the laws. The effect of this would be to disperse or weaken the bands which are scattered through the mountains; to cultivate and gather a more abundant crop, and to put an end to the molestation of the highways and the destruction and stealing of animals.

Second. To such as refuse to avail themselves of these privileges a severe policy should be pursued when practicable. They should be considered as alien enemies in armed opposition to the Government, and when captured regarded as prisoners of war and to be exchanged as such. In very flagrant cases a more severe policy might be pursued, but in most cases it would seem needless to try the offenders before a civil court, on account of the difficulty of obtaining two witnesses to the same overt act. To do so would be equivalent to releasing them in our midst, to renew their former course of depredations.

Third. With a view to local defense against such depredations I am encouraging, with some prospect of success, the formation of volunteer companies for local defense, under the act of October 13, 1862. As the people are generally unarmed, their arms having been taken for other purposes by the State authorities, I propose, with your concurrence, issuing to these organizations the squirrel and shot guns now in the arsenal here. In an emergency these companies may add somewhat to the security of the bridge defenses.

I will thank you to lay these views before the War Department. The question is a most delicate one and very difficult of solution; but I think a temporary exemption would gradually bring back these fugitives to the quiet cultivation of their fields—the best service which they can render the Government.

I am, sir, very respectfully, your obedient servant,

S. B. BUCKNER,
Major-General, Commanding Department.

ORDNANCE BUREAU,
Richmond, May 22, 1863.

Hon. J. A. SEDDON,
Secretary of War:

SIR: In returning the accompanying papers* I deem it due to Major Huse to remark:

First. That I believe from information derived from Captain Stiles, who is just from London, that the receiving of a commission by Major Huse will be satisfactorily explained by him. Major H. is an officer of nearly fifteen years' service. He knows perfectly well that the naked transaction of taking a commission on purchases, or receiving, directly or indirectly, compensation for purchases for the Government, would dismiss him from the service with disgrace; yet he makes confession of this flagrant crime to a stranger in his very first interview with him. It is unnecessary to suggest the propriety of at least hearing Major H.'s statement.

Second. That I have no doubt Major Huse was frequently compelled to pay quite 50 per cent. over the actual market value of his purchases. I am free to admit that if Major H. had applied to me for instructions as to whether he should procure supplies at such rates, authority to that effect would have been given to him without a moment's hesitation. Purchases made at those rates have saved my department and that of the Quartermaster-General millions of dollars if compared with the charges made by Confederate houses at Confederate ports. The Quartermaster-General has not weighed the matter of his letter, or this count in his indictment against Major H. would have been left out or supported by further testimony.

Third. The matter of Major Huse's unfitness for making purchases is assumed by the Quartermaster-General probably on the testimony of Major Ferguson. I think it proper to say that I am perfectly satisfied with his business capacities, and so far as that is concerned desire no change. He has, however, declared his unfeigned regret at having volunteered to do service for the Quartermaster's Department to which he was induced by his sense of the nakedness of our Army. This appears abundantly in his letters from the first. If he did wrong it must be admitted that it was a most venial error. He has, since the expression of his own wishes on this point, been formally directed to confine his purchases to the Ordnance and Medical Departments, Doctor Moore having full confidence in his judgment.

Very respectfully, your obedient servant,

J. GORGAS,
Colonel and Chief of Ordnance.

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*See Myers to Seddon, May 16, and inclosures, p. 555.

[MAY 22, 1863.—For General Orders, No. 66, Adjutant and Inspector General's Office, publishing "An act to provide and organize engineer troops to serve during the war," approved March 20, 1863, with rules and regulations for the selection and organization of the same, see Series I, Vol. XXV, Part II, p. 817.]

[MAY 22, 1863.—For Davis to Vance, in relation to desertions among North Carolina troops, &c., see Series I, Vol. LI, Part II, p. 711.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., May 23, 1863.

Col. JAMES R. CRENSHAW,
Charleston, S. C.:

SIR: I have received with satisfaction, and read with interest, your several late letters, and have regretted that the engrossing business of the office has compelled me to devolve on Major Ruffin the duty of replying and conveying the information desired by you.

I can understand the interest you feel in having all preparations made to give the enterprise on which your brother and his associates have embarked, together with this Department, a favorable start, and I have every disposition to afford all the requisite facilities needed on the part of the Government. You have, I hope, been able, under the instructions given through Major Ruffin, to secure the requisite coal and cargo for the first steamer or two that may arrive. Until the railroad we are now constructing for a few miles to the pits in North Carolina is complete, there will be delay and difficulty in getting the requisite supplies; after that I think the depots for the Government at Wilmington and Charleston will be readily and constantly supplied. I observe, however, with regret, that you think the coal from abroad so much better adapted for the steamers that it will be advisable to bring in supplies. That will seriously diminish tonnage that I had hoped might be better employed, and I yet hope it will be found that the coal from North Carolina will answer reasonably well.

For your first cargoes you have been, I hope, adequately supplied with cotton, either by the purchases you were authorized to make, or by the quantity which, on Colonel Gorgas' requisition, had been previously forwarded to Charleston by the Secretary of the Treasury. That officer has informed me that all the cotton which he has obtained, or been authorized by law to purchase, will be required for his financial operations under late laws of Congress, and that we must for the future rely on our own purchases; but he has placed at my disposition for such purposes the agents he still employs. On various accounts it is desirable to me that the purchases should be made through those agents, as, besides freeing from responsibility, they impose on the Department no charge or expense.

You will probably have heard from Major Ruffin that I had to take the responsibility of a positive order to the Commissary-General to make the requisition of $100,000 in your favor for the purchases you had to make.

I do not understand exactly the motives that influence Colonel Northrop, but do not think it proceeded from any distrust in yourself. At all events, I had no hesitation in manifesting the confidence which I felt assured you fully deserve. I am not sorry that the Secretary of

the Treasury has relinquished the supply of cotton to this Department, for it was always a matter of embarrassment to settle the prices to be charged for the cotton and the disposition to be made of the funds abroad. This would have been still more untoward when it becomes necessary, under the contract with your brother and his associates, to keep each venture separate, and have accounts entered with commercial accuracy.

Heretofore whatever error or mischarge was made caused no loss to the Government, but only an undercharge for or against one of the departments or bureaus. The thing is altogether different when the question is between third parties and the Government. You must therefore have an accurate ascertainment of the cost of your cargoes in cotton. Of the purchases made by yourself you can, of course, have no doubt; and in regard to any cotton heretofore purchased by Mr. Memminger and supplied, the cost at Charleston of similar cotton will have, I suppose, to be taken. In respect to the purchases hereafter to be made, we shall have rendered you the cost as paid by the Treasury agent purchasing, with the addition of the transportation and other incidental expenses.

I have directed to be in full preparation the several bureaus of Ordnance, Subsistence, and Quartermaster's, to purchase through the Treasury agents without delay as large quantities of cotton as they think will be necessary to meet their contracts or exchange for the supplies they will need. They have been advised, as they can command transportation, to purchase cotton at more distant points, where it is cheaper, and have it forwarded to convenient points for transfer to Wilmington and Charleston. On conference with Mr. Memminger I found he did not conceive himself authorized to allow the goods, as imported on account of your brother and his associates, to be admitted free of duty, though I thought I had distinctly explained to him this feature of the contract. This will compel this Department, as I had not expected and do not recognize any necessity for (since to pay to one Department what is remitted by another is idle, so far as the common Government is concerned), to pay to the Treasury the amount of the duties on such imported goods of Crenshaw & Co. I have, however, obtained from Mr. Memminger instructions to the collector of Charleston to merely charge the duties on such goods against this Department and report the amount. So, as far as your brother and his associates are concerned, the effect is the same, and there will only be another distinct manifestation of the purpose of this Department to maintain full faith with its contractors.

Upon the goods come in you have already, I believe, been fully instructed as to the officers to whom you are to submit the selection from your brother's portion of the cargo, if desired by the Government, and to whom you are to hand over the stores for the Government. If you are at any loss, confer with the agent of the Department, Mr. Seixas, with whom I hope you will preserve a cordial understanding, and who can inform you of the disposition he makes of the stores brought over in Government vessels.

I will endeavor to have the agents of the Treasury who may purchase for this Department instructed to furnish cotton for your steamers on requisition from yourself, and will send the letters you desire to the commanders at Wilmington and Mobile, as well as a general recognition of your agency, with a direction that all reasonable facilities be afforded you by officers of the Government in the execution of your brother's contract with this Department.

I have been somewhat annoyed by disagreements which have already arisen in England between Major Huse (the ordnance officer much trusted by Colonel Gorgas, and whom I wished on that account, as circumstances had cast the commercial business of this Department mainly on the Ordnance Bureau, to constitute the main agent abroad of all the bureaus) and Major Ferguson, of the Quartermaster's Department, and your brother. These will, I fear, entail serious embarrassments in the importation, through your brother's agency, of some of the most important freight of the Government. I trust there will be no hesitation on his part in taking any and all Government freight which it is desirable to the Government to have imported, and submit all matters of controversy afterward to my arbitrament. As a public officer, I can have no private interest to swerve me, and do not doubt my ability to render justice to all concerned.

On inspecting closely the contract made between Mr. Mason and your brother, there are two points which I think transcend the terms of my letter, which constitute its basis. They are those providing for commission on the purchase and sale of the ships and the prohibition of contraband of war to the islands. This latter may prevent the bringing in the first voyages of some most important munitions. These subjects will, however, be submitted to your brother's just consideration, and I have no idea that they will not be equitably explained or arranged between us.

I have written hastily, and may have still omitted points on which you required explanations or instructions, but I hope the letters of Major Ruffin have already supplied such possible oversights. I feel much interest in the success of these ventures, and have full confidence that they will not fail from want of fidelity, energy, or ability on your part.

Very respectfully,

JAMES A. SEDDON,
Secretary of War.

[MAY 23, 1863.—For Seddon to Vance, in relation to desertion among North Carolina troops, see Series I, Vol. LI, Part II, p. 714.]

ORDNANCE BUREAU,
Richmond, May 24, 1863.

Maj. CALEB HUSE,
38 Clarendon Road, Notting Hill, London West, England:

MAJOR: It is deemed of great importance to get a supply of arms into Texas, and perhaps this can be effected directly from abroad. Captain Stiles suggests that a French house would undertake the risk of supplying us, and probably the port of Matamoras could be used. If so, there would be no difficulty in getting the arms from Brownsville to the interior. Cotton is available there at any moment, and Maj. Sackfield Maclin, ordnance officer at San Antonio, Tex., will furnish any quantity of cotton needed at Brownsville on your order if payment is desired in that way. He will be instructed to that effect, and it will be well to transact the business with him. About 12,000 arms for infantry and 3,000 or 4,000 for cavalry, with some revolvers and necessary ammunition, say forty rounds per arm, should constitute the bulk of the cargo. There is a good supply of lead, powder, and leather in Texas. A few officers' sabers and equipments, and

anything which your knowledge may lead you to think of, might be added. Medicines are needed, and tea and coffee would doubtless be acceptable. Terms are left entirely to your discretion, and large inducements may be offered.

Very respectfully, your obedient servant,

J. GORGAS,
Colonel and Chief of Ordnance.

P. S.—A copy of this letter will be furnished to General J. B. Magruder, commanding Department of Texas, whose energetic cooperation in carrying out the scheme may be confidently relied on. The parties charged with it should be accredited to him.

J. G.

GENERAL ORDERS, No. 67. [ADJT. AND INSP. GENERAL'S OFFICE,] *Richmond, May 25, 1863.*

I. Officers on ordnance duty, when temporarily absent from their posts or positions in the field, under special orders, shall be allowed their personal expenses, to be paid out of the appropriation for ordnance service, in lieu of all allowances for fuel, quarters, and forage for the same period. Each account must be certified to by the party receiving the payment and approved by the officer under whose orders he acts.

II. Whenever a cavalryman fails and refuses to keep himself provided with a serviceable horse, he may, upon the order of the corps commander, be transferred to any company of infantry or artillery of the same army that he may select. In lieu of such soldiers, others belonging to the infantry or artillery, who are able to furnish horses, and prefer that service, may, in like manner, be transferred in equal number to the cavalry.

III. Surgeons will turn over money or other effects of deceased soldiers (except clothing, which will be disposed of as directed by General Orders, No. 49, 1863) to the quartermaster of the regiment to which the soldier belonged, if he died in the field, or to the quartermaster of the post, if he died in hospital, taking therefor receipts in duplicate—one of which will be forwarded by him to the commanding officer of the company of which the soldier was a member, to be sent by him to the family of the deceased, and the other to the Second Auditor of the Treasury. Quartermasters will take up upon their quarterly returns money thus paid, specifying the amount left by each deceased soldier, his name, company, and regiment.

By order:

S. COOPER,
Adjutant and Inspector General.

SPECIAL ORDERS, No. 124. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, May 25, 1863.*

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XI. * * * Brig. Gen. C. W. Field is assigned to duty as superintendent of the Bureau of Conscription in this city.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

[MAY 25, 1863.—For Vance to Seddon, in relation to desertion among North Carolina troops, see Series I, Vol. LI, Part II, p. 715.]

STATE OF GEORGIA, ADJT. AND INSP. GEN.'S OFFICE,
Milledgeville, May 26, 1863.

Lieut. Col. CHARLES J. HARRIS, C. S. Provisional Army,
Superintendent of Conscription in Georgia, Macon:

COLONEL: I am directed by the Governor to acknowledge the receipt of your letter of the 19th instant, inclosing a copy of a letter to you from the Bureau of Conscription at Richmond in relation to exemptions from conscription under the act of Congress of May 1 last.

In reply His Excellency desires me to say that he claims generally for the due administration of the government and laws of Georgia all of her officers, civil and military, appointed under her laws. In making this claim thus broadly His Excellency advances it in no spirit of opposition and the desire to impede you in the execution of your duties, but as the best method of avoiding unnecessary discussions and of securing without acrimony the just rights of the State and of the Confederate Government.

With this understanding the Governor will be prepared at all times to receive and examine dispassionately any claims you may urge upon him for this or that individual.

In conclusion His Excellency desires me to express to you his gratification officially and personally on being able to address you as the superintendent of conscription in Georgia and to say that it will give him pleasure to extend to you any facilities in your business and official residence in Georgia not inconsistent with the position occupied by him with regard to conscription and which is well known to you.

To the Governor's tender of services and congratulations I also add mine.

Very respectfully, your obedient servant,

HENRY C. WAYNE,
Adjutant and Inspector General.

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
SURGEON-GENERAL'S OFFICE,
Richmond, May 27, 1863.

In addition to the selected indigenous remedies of the supply table now furnished on requisition medical officers will have gathered by the attendants and convalescents and will employ in the treatment of the sick all other useful remedies which may be found growing in the vicinity of the hospitals under their charge. Attention is called to the reputed efficacy of an infusion of the common elder (*Sambucus Canadensis*) as a means of expelling the maggot investing wounds. The infusion after cooling is locally applied by means of cloth or lint. It has long been in common use and favorably considered as disposing wounds to heal kindly. The abundance in which this shrub is found will admit of its being gathered fresh for use whenever it may be required.

S. P. MOORE,
Surgeon-General C. S. Army.

GENERAL ORDERS, No. 69. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, May 28, 1863.*

I. In places where there are three or more hospitals, three surgeons in charge of hospitals, or divisions in hospitals, shall constitute a board of examiners for the hospitals to which they belong, whose duty it shall be, twice in each week, to visit said hospitals and examine applicants for furloughs; and in all cases where they shall find an applicant unfit for military duty, either from disease or wounds, and likely so to remain for thirty days or upward, they shall, provided his life or convalescence will not in their opinion be endangered thereby, grant a furlough for such time, not to exceed sixty days, as they shall deem he will be unfit for duty.

II. There will be detailed for each board herein constituted, from one of the hospitals visited by them, a competent clerk, who will issue furloughs, to be signed by the senior member of the Board, which will specify therein the length of furlough, the place of residence of the soldier, his company, regiment, and brigade; and no further formality shall be required of the soldier, and no passport other than his furlough.

III. In every case furloughed under the provisions of this order a medical certificate stating the name, company, regiment, and brigade of the soldier, his place of residence, and the length of furlough, with the full particulars of the disease, wound, or disability, and the period during which he has suffered from its effects, with an opinion of the time which will elapse before he can resume duty, must be furnished by the Board of Examiners to the Surgeon-General; and if such furlough has been improperly granted, the derelict officer will be held responsible before a military tribunal.

IV. The Board aforementioned will also examine applicants for discharge from the service, in hospitals visited by them, and may recommend a discharge when a soldier is deemed permanently unfit for service in the field or in any department of the Army in consequence of wounds, disease, or infirmity; in which case certificates of disability, signed by the senior member of the Board, and approved by the general commanding the army or department to which the soldier belongs, or by the Surgeon-General, will entitle him to a discharge, to be granted by the commandant of the post, who will complete and forward the "certificates of disability" to the Adjutant and Inspector General's Office. The surgeon in charge of the hospital will make out "final settlements." The soldier will receive transportation to the place of his enlistment or residence.

V. In places where there are but two hospitals, two surgeons in charge of a hospital or division shall constitute a board for the purposes aforesaid; and in places where there is but one hospital the surgeon in charge and two assistant surgeons, if there be two, and if not, then one, shall constitute a board for the purpose aforesaid, and may furlough and recommend discharges as herein prescribed.

VI. Where a soldier has been discharged under the provisions of this order and his descriptive list and final statements cannot be procured, he will be mustered by the surgeon in charge on the hospital rolls for payment, upon his affidavit, taken before one or more witnesses, that he has not received pay for the period for which he claims it to be due, and that he is not indebted to the Confederate States beyond the amount stated by him.

VII. Notices of all furloughs issued under these orders will be forwarded weekly by the Board of Examiners, and notices of all dis-

charges from service by commandants of posts to the immediate commander of the company to which the soldier belongs, and to the Adjutant and Inspector General.

VIII. The house surgeon in all hospitals shall see each patient under his charge once every day.

IX. Paragraphs III, IV, and V, General Orders, No. 51, current series, from this office, pertaining to matters herein regulated, are rescinded.

X. Boards of examiners and post commandants have no power to grant an officer leave of absence. They can only recommend it, upon the usual surgeon's certificate, for the consideration of the commanding officer of the army or department to which the officer belongs.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 70. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, May 29, 1863.*

I. The following act of Congress, and regulations adopted by the Department in pursuance thereof, are published for the information of all concerned:

AN ACT to abolish supernumerary officers in the Commissary and Quartermaster's Departments.

The Congress of the Confederate States of America do enact, That the office of regimental commissary be, and the same is hereby, abolished, and the duties heretofore devolved by law upon said commissary shall be performed by the regimental quartermaster: *Provided*, That said quartermaster shall, if required by the Secretary of War, execute a new bond, with such additional penalty as he may require.

SEC. 2. That the commanding officer of a regiment or battalion shall, when the good of the service, in his opinion, requires it, detail a non-commissioned officer or private as commissary-sergeant, who shall be assigned to the regimental quartermaster to perform the duties now performed by commissary-sergeants; and the non-commissioned officer or private so detailed shall receive as extra pay twenty dollars per month.

SEC. 3. That the regimental quartermasters acting as commissaries shall draw supplies for their respective regiments on Provision Returns, Form 14, and not in bulk; and when detached from their brigades, so that it is impracticable to draw supplies from the brigade commissary, it shall be the duty of the nearest brigade or post commissary to supply his regiment on provision return 14.

SEC. 4. Sales to officers shall be made by the brigade commissaries to which such officers are attached.

SEC. 5. That quartermasters and commissaries, assistant quartermasters and assistant commissaries, who become permanently detached from divisions, brigades, or regiments, to which they are originally appointed and assigned, respectively, whether by resignation or otherwise, shall cease to be officers of the Army, and their names shall be dropped from the rolls of the Army, unless reassigned by a special order of the Secretary of War.

SEC. 6. That it shall be the duty of the Secretary of War to issue the necessary orders for the earliest practicable enforcement of the provisions of this law, and that he shall communicate to the chiefs of the Subsistence and Quartermaster's Bureaus the names of the commissaries and assistant commissaries, quartermasters and assistant quartermasters retained and dropped from the rolls under this act.

SEC. 7. That all laws and parts of laws contravening the provisions of this act be, and the same are hereby, repealed.

Approved May 1, 1863.

II. Regulations.

1. After this date no appointment will be made of regimental or battalion commissaries in the Provisional Army. Departmental

commanders will direct the transfer, by regimental commissaries, of all money, effects, and property in their hands to the proper regimental quartermasters, who will thereafter discharge the duties of the former in accordance with the provisions of this act. Until such transfer is perfected, regimental commissaries will continue in the performance of their usual duties; but after the 31st day of July next all quartermasters and commissaries, assistant quartermasters and assistant commissaries, who have not been or may not be, prior to July 31, specially detailed or assigned to duty will cease to be officers in the Confederate service.

2. Sales to officers will, after the 31st of July next, be made by the brigade commissary, as required in the fourth section of the act; and to enable him to do so the brigade commander will select and report to the War Department, through the usual channel, the best qualified regimental commissary of his brigade, for assignment to duty with the brigade commissary. It shall be the special duty of the commissary thus assigned to receive supplies in bulk and to make the usually required sales to officers of the Army. He will be under the immediate direction of the brigade commissary, will receipt to him for all property received, and make through him the proper reports and returns of his transactions.

3. In cavalry regiments, a lieutenant of cavalry or other competent officer may be detailed, when necessary, to aid the regimental quartermaster in the discharge of such additional duties as may be devolved upon him under the operation of this law.

4. Additional bonds will not be required of regimental quartermasters charged with commissary duties, except where directed by the Secretary of War.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 71. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, May 30, 1863.*

The following act of Congress having been approved by the President is announced for the information and guidance of all concerned:

AN ACT allowing hospital accommodations to sick and wounded officers.

The Congress of the Confederate States of America do enact, That sick or wounded officers shall be allowed hospital accommodations in any of the hospitals of the Confederate States at one dollar per diem.

SEC. 2. *And be it further enacted*, When said officer shall be without money, he shall nevertheless be entitled to the same. The surgeon in charge, at the expiration of every thirty days, shall state the account, and be entitled to draw the amount at any place where the officer might have drawn it, which shall be deducted from said officer's pay in the same way as if he himself had drawn it, and any officer drawing the same again shall be punished as in the case of fraudulent drawers.

Approved April 29, 1863.

By order:

S. COOPER,
Adjutant and Inspector General.

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, Va., May 30, 1863.

By the circular from this Bureau of May 19, 1863, commandants of conscripts were directed to abstain from fully carrying into execution the second section of the act of Congress of May 1, 1863, making new regulations for the exemption of overseers until such further instructions should be issued as deemed proper by Executive discretion under the third section. The whole subject was referred to the War Department.

In view of the great demand for provisions and their scarcity, and of the fact that many persons have made their arrangements for cultivating their farms upon the conditions of the law of October 11, 1862, the Department deems it imprudent by the withdrawal of supervision from slave labor to disturb the processes in operation for the supply of food. The Assistant Secretary of War writes:

> It is therefore recommended to you not to conscribe the persons employed as superintendents of the plantations employed in growing crops of provisions which there is reason to believe will be appropriated to the use of the Army or the supply of the indigent population during the growing seasons. A liberal use of the power of granting temporary exemptions in meritorious cases will be approved.

Commandants of conscripts will, therefore, in the enforcement of the act of May 1, pay particular attention to these suggestions of the War Department, and be governed by them.

All persons subject to the operation of the act will be enrolled, and temporary exemptions granted or refused by the commandant where the merit or want of it is clear. Doubtful cases will be referred to the Bureau for decision.

G. J. RAINS,
Brigadier-General and Superintendent.

(To Commandants of Conscripts.)

[Indorsement.]

JUNE 5, 1863.

CONSCRIPTION BUREAU:

The spirit approved, but overseers, &c., should be enrolled and temporarily detailed. Details are to be preferred to temporary exemptions.

J. A. S.,
Secretary.

GENERAL ORDERS, No. 74. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, June 3, 1863.

I. The Congress of the Confederate States having failed to recognize the appointment of provost-marshals from persons not belonging to the Army, or to make appropriation for the services of those persons who had been employed in that capacity, hereafter no such appointments will be made.

II. The generals of departments will report the posts at which provost-marshals are needed, with the number of provost or other guards at the same, and recommend for appointment suitable officers for the same.

III. In all cases preference will be given to competent officers who have become disabled, by wounds or other infirmity, for active field duty.

IV. At all the posts not supplied before the 1st of July with provost-marshals belonging to the Army, in accordance with this order, the office will be considered as abolished.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA,
BUREAU OF SUBSISTENCE,
Richmond, June 4, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: Immediately after the battles of the 12th and 13th of December, 1862, at Fredericksburg, with the intention of accumulating all the stores possible at Richmond, orders were given for meats from Atlanta, Ga., where a reserve had been collected. Ever since persistent efforts have been made to have these orders carried out and daily specific shipments required. During the month of April especially but little at long intervals was received, and Major Cummings, commissary of subsistence, in charge at Atlanta, was called on for reasons of failure. He alleges that he was peremptorily ordered by General Johnston to stop everything else until he had supplied his army. He also furnishes a memorandum of the shipments made to that army in the month of April, as follows: 1,010,910 pounds of bacon, 102,055 pounds cured beef, besides 923 head of beeves. This occurred while it was a critical question if General Lee's army could get provisions to hold its position.

By telegraph Colonel Cole states that it is of first importance that 1,000,000 of pounds of meat should be collected in Richmond for that army; this, of course, irrespective of the great local and surrounding demand. You are aware that this necessity has long been anticipated and meeting it steadily aimed at since the 15th of December, but no proceedings which this Bureau can institute have been equal to realizing such collections ahead.

I think proper to ask your consideration of other points in connection with an abstract of stores on hand, herewith presented.* The plan of bringing cattle from Texas to put on grass here has been effectually prevented.

The dream about the oceans of cattle in East Florida has no foundation. If they can meet the demands of the troops in Georgia and South Carolina, so as to save the bacon in those States and furnish from Georgia some surplus hither, all will be realized which should be reasonably expected.

Importations from abroad were looked for by the 1st of May. A few mouthfuls have come. In consequence of the insufficient quantity and inferior quality of salt among the inhabitants, much of their meat is spoiling. The high prices fixed by the county committees, and the fear that the commissioners of appraisement might not reach prices high enough to satisfy avarice, has doubtless stimulated every one who could spare any meat to bring it out, and the fear of its being fly-blown and spoiled in their hands has strengthened the patriotic desire of feeding the soldiers.

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* Omitted in view of the recapitulation following.

I am of the opinion that there will not be enough meat to last until new bacon comes in; therefore I respectfully urge that throughout the whole Army the ration of salt meat be reduced to one-third of a pound for all troops not engaged in actual movements, to one-fourth of a pound for all troops garrisoning forts, or manning permanent batteries or intrenched camps, and the ration only to be raised to one-half of a pound of bacon when on an active campaign.

The condition of troops—that is, health and appearance—proves that it is enough, as evinced by observing those who have for a long time been on reduced rations. It has been provided when necessary to increase the bread rations.

On the other hand, we continue to lose territory—here in Virginia as elsewhere—and the enemy are largely increasing the mouths to be filled, while they are instituting proceedings for destroying existing supplies in our country and growing crops, or the appliances for raising them.

I am, sir, very respectfully, your obedient servant,

L. B. NORTHROP,

Commissary-General of Subsistence.

[Inclosure.]

RECAPITULATION.

	Bacon and pork.	Salt and fresh beef.
Total pounds of	8,743,063	8,282,827
Rations of one-half pound	17,486,126	.....
Rations of one-third pound	26,229,189	.....
Rations of three-quarters pound	.....	11,043,769

In Virginia, 11,559 head of cattle.

ASSISTANT QUARTERMASTER-GENERAL'S OFFICE,

Richmond, Va., June 4, 1863.

Col. A. C. MYERS,

Quartermaster-General:

SIR: The last paragraph of section 13 of the tax act contemplates that the Secretary of War will notify the Secretary of the Treasury of the region where it will be impracticable to collect the tax in kind. After a close examination I have the honor to report on this subject as follows: Excepting in Greenesville, Surry, and Sussex Counties, the Second Congressional District is impracticable; also the Third District, excepting Henrico, Hanover, Charles City, and New Kent. The Ninth, Tenth, Fourteenth, Fifteenth, and Sixteenth Districts are impracticable. In the Eleventh, Twelfth, and Thirteenth Districts, the counties of Pendleton and Pocahontas, Raleigh and Fayette, Scott, Wise, Buchanan, and McDowell are impracticable. This is for the State of Virginia.

In North Carolina the counties of Gates, Hertford, Bertie, Chowan, Perquimans, Pasquotank, Camden, Currituck, Martin, Washington, Tyrrell, Pitt, Beaufort, Hyde, Lenoir, Craven, Carteret, Jones, Onslow, Cherokee, Macon, Jackson, Haywood, Madison, Buncombe, McDowell, Yancey, Watauga, Ashe, Surry, and Stokes are deemed impracticable.

In the State of Alabama the counties of Walker, Marion, Lawrence, Franklin, De Kalb, Marshall, Blount, Randolph, Choctaw, Pike, Henry, Coffee, Dale, and Covington are deemed impracticable.

In the State of Florida the counties of Escambia, Santa Rosa, Walton, Taylor, La Fayette, Levy, Putnam, Duval, Saint John's, and all counties south of Marion, Levy, and Saint John's, are deemed impracticable.

In the State of Louisiana it will be practicable to collect only in the counties of Sabine, De Sota, Caddo, Bossier, Claiborne, Bienville, Natchitoches, Rapides, and Winn, Union, Jackson, Morehouse, Ouachita, East and West Feliciana, Saint Helena, Washington, East Baton Rouge, Livingston, and Saint Tammany.

In the State of Tennessee it will be practicable to collect only in the counties of Marion, Franklin, Grundy, Hamilton, Bradley, Polk, McMinn, Monroe, Meigs, Rhea, Roane, Blount, Sevier, Cumberland, Morgan, Anderson, Knox, Union, Grainger, Jefferson, Hawkins, Hancock, Greene, Washington, Sullivan, Carter, and Johnson.

In Mississippi the practicable counties are Hinds, Madison, Holmes, Yazoo, Carroll, Yalobusha, Tallahatchie, Panola, La Fayette, Attala, Greene, Wayne, Jones, Paulding, Clarke, Dale, Lauderdale, Newton, Scott and Rankin, Kemper, Noxubee, Lowndes, Oktibbeha, Chickasaw, Monroe, Pontotoc, and Itawamba.

In Arkansas it is deemed impracticable to collect the tax in kind, except in the following counties: Desha, Arkansas, Jefferson, Pulaski, Conway, Perry, Yell, Pope, Johnson, Franklin, Sebastian, Crawford, Monroe, Prairie, Saint Francis, White, Jackson, Independence, Ashley, Calhoun, Union, Ouachita, Dallas, and Hempstead.

The remoteness of Texas and the want of information of the means of transportation in that State render it impracticable to designate the localities where it is practicable to collect the tax in kind. In the above statement practicable regions may have been omitted, and regions that are impracticable may have been given. Information as it is received will be communicated to each controlling quartermaster, so far as it relates to his State, and he will be required to advise with the officers of the Treasury (the State collectors) on the subject. I have not referred to the States of South Carolina and Georgia, as collections to a certain extent may be made in all the counties and parishes of those States. Nor are Kentucky or Missouri referred to, as collections can be made in no part of those States.

I am, very respectfully, your obedient servant,

LARKIN SMITH,
Assistant Quartermaster-General.

[First indorsement.]

QUARTERMASTER-GENERAL'S OFFICE,
June 6, 1863.

The inclosed copy of a report from Lieut. Col. L. Smith, who is in charge of the collection of the tax in kind, showing those districts of the country in which it is not practicable to make such collections, is respectfully submitted to the Secretary of War for his information.

A. C. MYERS,
Quartermaster-General.

[Second indorsement.]

JUNE 12, 1863.

Respectfully referred to the Secretary of the Treasury for his information. He will please return the paper, that any modifications that further information may induce may be noted and communicated.

J. A. SEDDON,
Secretary of War.

[Third indorsement.]

The Treasury Department can take no action upon this document unless formally left with it by the Secretary of War, or some special communication be made according to the act of Congress.

C. G. MEMMINGER,
Secretary of the Treasury.

GENERAL ORDERS, No. 75. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, June 4, 1863.*

I. The following act of Congress concerning compensation to detailed men, and the instructions of the War Department in regard thereto, are published for the information and direction of all concerned:

1. *The Congress of the Confederate States of America do enact*, That non-commissioned officers, musicians or privates, when employed on detached or detailed service by the departmental or other commander of a district, or under the direction of any of the military bureaus, instead of the compensation now allowed, may be allowed the sum of not more than three dollars per day, in lieu of rations and all other allowances, upon the recommendation of the officer immediately in charge of such men, with the approval of the commander or chief of bureau, as the case may be, and the sanction of the Secretary of War.

2. This act shall remain in force for one year from the first day of January, eighteen hundred and sixty-three.

Approved May 1, 1863.

II. 1. Detailed men in the service of the several military bureaus, other than the clerks described in act No. 52 (clerks employed in public offices in the city of Richmond by reason of physical disability), will be allowed such sum per day in lieu of rations and all other allowances, not exceeding $3, as may be recommended by the officer in charge of such detailed men, and approved by the chief of bureau.

2. The maximum allowance of $3 will be paid only to the class of detailed men serving at posts or stations without troops, or in counties and towns or Government workshops.

3. The rate of allowance to men serving in the field as clerks at headquarters, or on duty in the Quartermaster's, Ordnance, Engineer, Commissary, or Medical, Mining and Niter Departments, will be established at such sums per diem as may be recommended by the officer in charge of such men and approved by the commanding general. These rates will not exceed $1.25 per diem, except in special cases of service in the departments above mentioned, when a greater rate may be authorized by the chiefs of bureaus, upon the approval of the commanding general.

4. The extra compensation allowed by the foregoing act will be paid to detailed men by the departments in which they are respectively employed, except medical departments, upon such rolls as may be prescribed; except that payments by the Quartermaster's Department will be made upon rolls according to Form No. 3, Regulations of the Quartermaster's Department. Such payments will be in full of all payments and allowances heretofore paid and allowed to soldiers, except their monthly pay. Payments in the Medical Department will be made as now by quartermasters.

5. Shoemakers detailed under the provisions of the act of October 9, 1862, who may receive the per diem allowance in lieu of rations and other allowances authorized by the act of May 1, 1863, will also be entitled to the compensation of 35 cents per pair for shoes manufactured by them authorized by the said act of October 9, 1862.

6. All payments to detailed men under the act of May 1, 1863, will be made from the 1st day of January, 1863, and will not be continued beyond the 31st of December, 1863; but no payment shall be made to those who have been detailed heretofore "without pay and allowance as soldiers." From and after the 31st of May payments to such men will be made under this act.

7. The approval of the chiefs of bureaus and the sanction of the Secretary of War, required by the above-recited act of Congress, will not be necessary in each particular case of detail; but each bureau may, with the approval of the Secretary of War, prescribe general regulations for the payment of the different classes of detailed men in their respective employments.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA,
QUARTERMASTER-GENERAL'S OFFICE,
Richmond, June 30, 1863.

I. The sanction of the Secretary of War required by the act of Congress is given generally by the above order.

II. The approval required from this Bureau is announced as follows:

1. Officers of the Quartermaster's Department in charge of detailed men are authorized to pay all such in their employ, when serving at posts or stations without troops, or in cities, towns, or Government workshops, such sums as they may deem proper, not exceeding $3 a day.

2. Officers of this department in charge of detailed men in the field are authorized, with the approval of the commanding general, to pay them such rates as they may deem proper, not exceeding $1.25 a day.

III. The approval of other chiefs of bureaus, as also of departmental or other commanders, when required by law, will be given in such manner as they may deem most convenient, and the paying officer will act thereon, without reference to this office.

IV. No case need be referred for the further approval of the Quartermaster-General, except when under the provisions of paragraph III of the above general order it is proposed to exceed, on special grounds, the allowance of $1.25 a day to detailed men serving in this department in the field. Then the recommendation of the officer in charge and the approval of the commanding general must always be had before the application is forwarded.

V. In determining the rate of compensation to be paid men detailed, quartermasters will not go unnecessarily to the maximum, but will exercise a discretion and act with reference to the additional expense to which the men are put by reason of the locality in which they serve.

VI. The per diem allowed will in all cases go back to the 1st of January last, if the applicant shall have been on detached or detailed duty so long, but care must be taken in all cases to deduct the value of all allowances heretofore received.

VII. The act of Congress referred to as act No. 52 relates exclusively to clerks employed in the public offices in the city of Richmond by reason of physical disability. They receive, independent of any approval, $1 a day, as extra-duty pay, and that without prejudice to their allowances.

VIII. Detailed conscripts will stand, from the date of their enrollment, upon the footing of infantry soldiers, and in no case will any officer of this department having them in charge pay them wages as employés from civil life.

COMMUTATION OF QUARTERS.

By the decision of the Secretary of War, the rate of commutation of quarters at all stations other than Richmond, where commutation is paid, is fixed at $15 per room a month. This rate takes effect from the 1st of June, 1863.

SPECIAL ORDERS, No. 133. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., June 4, 1863.*

* * * * * * *

XIV. Capt. F. W. Sims, assistant adjutant-general, will assume the duties of inspector and agent for the supervision of railroad transportation on the railroads of the Confederacy lately discharged by Col. William M. Wadley, and will proceed to execute the same to the like extent with his predecessor, reporting through the Adjutant and Inspector General to the War Department.

* * * * * * *

By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

[JUNE 4, 1863.—For correspondence between Magruder and Lubbock, in relation to a call for 10,000 Texas militia, see Series I, Vol. XXVI, Part II, pp. 33, 36.]

GENERAL ORDERS, No. 76. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, June 5, 1863.*

Officers of the Army are directed in all official reports, whether of sieges, campaigns, or battles, to confine their statements to the facts and events connected with the matter on which they report. No extraneous subject, whether of speculation or of collateral narrative, has a proper place in the official reports of military operations. As much conciseness as is consistent with perspicuity and fullness of statement will be observed in such communications.

By order:

S. COOPER,
Adjutant and Inspector General.

[JUNE 5, 1863.—For order directing organization of all men detailed or employed in the War Department at Richmond, and citizens generally, for local defense, see Series I, Vol. XXVII, Part III, p. 862.]

GENERAL ORDERS, No. 77. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, June 6, 1863.*

When an infantry soldier is detailed as a courier, under paragraph III, General Orders, No. 7, current series, and shall keep himself provided with a serviceable horse, he will be allowed 40 cents per day for the use and risk of his horse.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., June 6, 1863.

His Excellency M. L. BONHAM,
Governor of South Carolina, Columbia, S. C.:

SIR: Under the instruction of the President, I have the honor to address you on a subject deemed by him of great moment. The numerically superior armies of the enemy confronting us in the field at all the most important points render essential for success in our great struggle for liberty and independence greater concentration of our forces, and their withdrawal in a measure from the purpose of local defense to our cities and least exposed States. Being the invaded country, it is impossible throughout the extent of our limits to maintain permanently, without dispersion, which causes weakness everywhere, adequate forces at the numerous points where we may be attacked. The recent raids of the enemy in different portions of our productive, but thinly populated, districts strikingly illustrate both our liability to distracting and desolating invasions, and the impracticability of affording from our armies, with sufficient promptness, the soldiers necessary for prevention or punishment. It becomes essential, therefore, that the reserves of our population capable of bearing arms, yet required for the useful operations of society and the maintenance in the field of our embodied forces, should be relied on for employment in the local defense of important cities, and in repelling, on emergencies, the sudden or transient invasions of the enemy. How best to organize such reserves and make them most effective has been the subject of consideration with the Department, and I venture to present some suggestions for your consideration and action.

The militia of the respective States might on occasion be called out, but this would be attended with the serious evil of being dilatory in execution, and by its generality be exhaustive of the already diminished population engaged in the necessary work of production and supply. The difficulty of assembling, and after discharge again reassembling them, would probably induce their retention on each call beyond the time strictly necessary. Experience, too, has not shown this kind of force to be very reliable or efficient, as it is difficult, from the want of previous preparation and co-operation, to inspire them with confidence in their leaders or themselves. Local organizations or enlistments by volunteering for limited periods and special purposes, if they can be induced, would afford more assurance of prompt and efficient action. For these the legislation of Congress has made full provision by two laws, one entitled "An act to provide for local defense and special service," approved August 21, 1861;* the

*See Vol. I, this series, p. 579.

other entitled "An act to authorize the formation of volunteer companies for local defense," approved October 13, 1862,* to which your attention is invoked, and of which, as they are brief, copies are appended.

Under the former of these, if organizations could be effected with the limitation prescribed in their muster-rolls of service only at home, or at specified points of importance within the particular State, they would be admirably adapted to obtain the desired ends of calling out those best qualified for the service; of employing them only when and so long as they might be needed; of having them animated with esprit de corps, reliant on each other and their selected officers, and of thus securing the largest measure of activity and efficiency, perhaps, attainable from other than permanent and trained soldiers.

After the most active and least-needed portion of the reserves were embodied under the former law, the latter would allow smaller organizations, with more limited range of service, for objects of police and the pressing contingencies of neighborhood defense. Could these laws generally be acted on, it is believed as full organization of the reserve population would be secured for casual needs as would be practicable. These laws, however, contemplate only voluntary action, and no compulsion or draft can be resorted to to secure organizations under them. It may well be doubted whether at this stage of the war, with the engrossing duties pressing on the limited population at home, and the experience had of the privations of military service, the spirit of volunteering would be sufficiently eager and active to secure the prompt formation of such organizations. The apprehension at least of a draft, otherwise unavoidable, would aid powerfully patriotic impulses, and by interesting all to encourage and assist such organizations might suffice to assure them. The President has, therefore, determined to make a requisition on the Governors of the several States to furnish, by an appointed time, for service within the State, and for the limited period of six months, a number of men proportionate to the relative population of each, unless the same can be organized previously in such voluntary corps as may render them subject to his call for like duty; and it is recommended to you to announce by proclamation such requisition, and that, unless by a preceding day the requisite forces can be presented by voluntary organizations under the first-named law, a draft will be made on all the militia not engaged in voluntary organizations under that law to furnish the requisite quota.

When the need of the country for such additional service is fully presented to and realized by the patriotic population of your State, and, in addition, the question is narrowed to the election between voluntary organizations for special service within the State, under officers of their own selection, and with the privilege of remaining at home in the pursuit of their ordinary avocations, unless when called for a temporary exigency to active duty and the continuous service for an appointed time, under compulsory draft as militiamen, it is confidently believed that the general preference will be promptly manifested for the former.

In the formation of these organizations it is reasonable to be expected that such portion of the population as may have seen service, but have been, by detail, discharge, or other cause, released from the Army, will constitute an important element, and that officers in

* See p. 206.

like situations will be elected to command, and thus there will be afforded the untried men a confidence and an encouragement wanting to ordinary militia. Without the general disturbance of a call on the militia the organizations nearest to the points of attack would always be readily summoned to meet the emergency, and the population resident in the cities and their vicinities would, without serious interruption to their business or domestic engagements, stand organized and prepared to man their intrenchments and defend, under the most animating incitements, their property and homes.

In pursuance of the views thus imperfectly presented, and to reconcile greater concentration to our armies, with adequate internal protection to your State, I am instructed by the President, in his name, to make on you a requisition for 5,000 men, to be furnished by your State, for service therein, for the period of six months from August 1 next, unless in the intermediate time a volunteer force, organized under the law for local defense and special service, of at least an equal number be mustered and reported as subject to his call for service within your State.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

(The same sent to His Excellency Joseph E. Brown, Governor of Georgia, for 8,000 men; His Excellency Isham G. Harris, Governor of Tennessee, for 6,000 men; His Excellency John Letcher, Governor of Virginia, for 8,000 men; His Excellency John Milton, Governor of Florida, for 1,500 men; His Excellency J. J. Pettus, Governor of Mississippi, for 7,000 men; His Excellency J. G. Shorter, Governor of Alabama, for 7,000 men, and His Excellency Z. B. Vance, Governor of North Carolina, for 7,000 men.)

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, June 8, 1863.

The circular of May 30 is so amended that hereafter instead of temporary exemptions being granted to overseers in worthy cases, as prescribed, they will be enrolled and temporarily detailed.

C. W. FIELD,
Brigadier-General and Superintendent.

(To Commandants of Conscripts.)

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., June 9, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have respectfully to acknowledge the letter of Secret Detective Greenwall, communicated by you with favorable indorsement.

The services of such a detective, to track out the professional substitute agents in their habitual frauds and the self-styled officers ·rning papers without commission or authority, and also to expose

the criminal disregard of law and orders by company and regimental officers, whether moved by corruption, complaisance, or recklessness, might be eminently useful.

To that end, however, the limited scope of the jurisdiction of this Bureau makes it desirable that, while consulting with and recommended to the authorities of conscription, he should be the direct representative of higher authority, and clothed by such authority with special powers and duties to procure arrests and prosecutions in concert with Confederate marshals and district attorneys.

There have not been wanting abundant evidences of irregularity and disobedience of orders, grossly criminal and mischievous, in the conduct of officers of the Army respecting substitutes. In practice, the remedies attempted to be applied by this Bureau have, by reason of its want of jurisdiction, generally proved unavailing. In all the cases forwarded with evidence the guilty officers seem to have escaped with impunity by, or without, the rendering of some sort of defense or explanation.

Captain Davidson, commanding a battery of Virginia artillery, now it is believed in the region of Southwestern Virginia or East Tennessee, and Lieutenant-Colonel Dunn, commanding a regiment of Virginia partisan cavalry, are flagrant instances, among several not far behind them.

As to the remedy of vitiating the exemptions thus irregularly obtained, that has been defeated by the unwillingness of the War Department and of this Bureau to make innocent parties suffer by the fault of officers representing the Government, though violating its orders.

All the limitations imposed on recruiting officers (such as to raise bodies of non-conscripts only) or on company and regimental officers as to the number and qualification of substitutes, or the mode of receiving them, have generally proved so far to be mere fetters of straw. But one remedy has ever appeared to this Bureau to offer any hope of practical effectiveness. The War Department has a right to regulate the terms and manner of receiving substitutes.

Let none be presented anywhere but at one of the camps of conscript in the respective States and the examination be made there. If the substitute offered be for an unassigned conscript, let the exemption of the principal issue then and there; if for a member of a company or regiment, let it be suspended until the approval of the captain and regimental commander be obtained. Should this regulation be adopted, it ought to be very conspicuously and widely published, that ignorance of the law may no longer be pleaded. In all the cases occurring heretofore we have had to encounter the allegations of innocence by the principals, the efforts of lawyers, the public sympathy, and the active exertions of leading men in office and in influence, all thrown against the Government.

I am, sir, very respectfully, your obedient servant,

GEO. W. LAY,

Lieut. Col. and Asst. Adjt. Gen., Acting Chief of Bureau.

[JUNE 9, 1863.—For Davis to Brown, in relation to the organization of a regiment of non-conscripts for "local defense and special service," see Series I, Vol. LII, Part II, p. 492.]

GENERAL ORDERS, No. 80. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, June 10, 1863.*

I. Contractors with Government officers to supply paper are hereby authorized to send agents to the armies in the field and to military posts for the purpose of collecting material convertible into paper.

II. Commanding officers of armies and military departments will direct suitable facilities to be given to such agents, when coming certified by the officers with whom the contract is made, and will direct the quartermaster's department to furnish transportation to the nearest public route for all material collected whenever consistent with the interest of the service.

III. Non-commissioned officers and privates who belonged to companies or regiments which have been disbanded, and who, on account of their absence on detailed duty, were not mustered out of service with the commands to which they were attached, but were continued for detailed duty, will be paid for the period of such detail, upon descriptive lists prepared and signed by the officer under whom they may be serving. Clothing will be drawn and issued to them by such officer, who will keep an accurate account of such issues and indorse them upon said descriptive lists. All such non-commissioned officers and soldiers within the conscript age will be at once reported to the nearest enrolling officer, who will take measures to assign them to companies. Those who are not liable to service as conscripts will be discharged by order from the Adjutant and Inspector General's Office.

IV. In all elections of officers prescribed by law a majority of all the votes cast will be necessary to a choice.

By order:

S. COOPER,
Adjutant and Inspector General.

MILLEDGEVILLE, *June 10, 1863.*

Hon. J. A. SEDDON:

I have this day received your letter of the 6th instant and will write you fully. I assure you of my readiness to do all in my power to the extent of my legal authority to carry out the President's views on the subject and to fill requisition. There is no law of this State which subjects those over forty-five to draft; the acts of Congress of which you send copies do not. If there be an act that does please send copy. Under my proclamation of 26th of May past many volunteer companies are tendering to me for local defense, and are receiving commissions from the State, which they prefer. If the President will accept 8,000 men, infantry and cavalry, organized by the State into battalions, companies, and regiments, and tendered for local defense for six months, to receive pay and allowances only when on duty, and he can arm them, I think I can have them ready in August. If this is satisfactory say so by telegraph to save time, and instruct Confederate officers in the State to act in harmony with me, and not attempt to get up conflicting organizations, and I shall have strong hopes of my ability to fill the requisition.

JOS. E. BROWN.

[JUNE 10, 1863.—For General Orders, Adjutant-General's Office, State of Virginia, with indorsement, in relation to the requisition of the President for 8,000 militia, &c., see Series I, Vol. XXVII, Part III, p. 883.]

MOBILE, *June 11, 1863.*

[Hon. JAMES A. SEDDON,
Secretary of War:]

SIR: I know you have not time to read letters, yet it is important to know facts which tend either to good or the injury of our country. I have always been in favor of keeping up some communication with the outside world, yet I see that the running the blockade unless restrained will ruin us forever. The fast sending of all our cotton, or a large part—some little is captured—that which passes had better be; the most of it is laid out in brandies, wines, and flimsy gewgaws that bring exorbitant prices, but little in articles that produce substantial good. But besides this it is corrupting our people; it is turning all their hearts and souls to speculating. It teaches, as I have heard officers in the Army—not, however, our present commanding general, Maury, whom I do not know, but who is recommended as a good and able officer—the service is becoming odious because of the large profits made by this mode of speculating. And above all this, it is ruining our currency. Our money now bears a relative value to specie, and because of this trade in a great degree. Think of these things. Show this or repeat the substance to Mr. Davis. Do not believe this too is but moody despondency. These things are facts. Deal with them as such.

Yours, truly,

E. S. DARGAN.

GENERAL ORDERS, No. 82. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, June 12, 1863.*

The second section of the act entitled an act to organize partisan rangers provides that such partisan rangers, after being regularly received into service, shall be entitled to the same pay, rations, and quarters during their term of service and be subject to the same regulations as other soldiers. The irregularities reported to this Department as having been committed by such corps renders it proper that these corps shall be placed under stricter regulations than those heretofore adopted. The generals commanding the departments in which they are serving are hereby authorized to combine them into battalions and regiments with the view to bringing them under the same regulations as other soldiers in reference to their discipline, position, and movements; and the same officers will recommend any further measures for their organization as an integral portion of their commands as will in their opinion promote their efficiency and the interest of the service. The general of the department will recommend field officers for the organizations that may be made, to be submitted for the consideration of the President. Such partisan corps as are serving within the enemy's lines are for the present excepted from this order.

By order:

S. COOPER,
Adjutant and Inspector General.

SPECIAL ORDERS, No. 140. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, June 12, 1863.*

* * * * * * *

XXI. Col. Henry Forno, Fifth Regiment Louisiana Volunteers, will proceed without delay to suitable points in Mississippi and Alabama

and gather volunteers and conscripts from among such citizens of Louisiana as are not already enrolled by the regular authorities of conscription. He will also gather together all the officers and privates of Hays' (Louisiana) brigade who may be found absent without proper authority. The regular conscript officers at Mobile, Ala., are already under instructions to allow full permission to Louisiana conscripts to volunteer before enrollment, and will offer no opposition to recruiting by Colonel Forno of any unenrolled. In the execution of these duties Colonel Forno will be governed by the circular from this office of January 8, 1863, with the limitations imposed by General Orders, No. 16, current series.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, June 12, 1863.

Governor JOSEPH E. BROWN,
Milledgeville, Ga.:

Your assurance of co-operation is gratifying. Organizations under the law of the Provisional Congress are preferred, mainly because of their longer term of duration and greater adaptation for ready call on temporary service and then for dismission to their ordinary pursuits. The militia called out for even a limited time would be continuously in the field. Besides, militia corps, if they could be called out so temporarily, might be considered by the enemy as State troops, not in their construction entitled to exchange. If, however, the organizations under the act of Congress are not formed in adequate numbers, militia on the plan proposed by you or in the usual way will be accepted.

JAS. A. SEDDON,
Secretary of War.

22A AUSTIN FRIARS, LONDON, *June 12, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

SIR: I had this pleasure 6th instant, and beg now to inclose duplicate of it. I confess to very great disappointment at not receiving any advices from you by the Bermuda mail, especially as Mr. Mason informs me that [he] has a letter from you of as late date as 16th May. As yet I have no advices from General McRae as to the payment of Colonal Gorgas' draft on Major Huse for £22,500, left by Mr. Bosher with Messrs. A. Collie & Co., and I fear that by its non-payment the provisions cannot be shipped to reach the islands in time for the steamers. As I feared, the D[iana] will not have her trial trip until next week. I will refrain from repeating to you how disagreeable I find my position here, and how anxiously I looked to the receipt of your letter in reply to mine of 6th May.

I remain, yours, very respectfully,

WM. G. CRENSHAW.

[Inclosure.]

JUNE 6, 1863.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

SIR: I had this pleasure 15th ultimo, and continue without any of your favors of later date than 22d February. On Monday last (1st instant) I received advices from my brother James of 6th May informing me that you had received my letters of 13th March, inclosing a copy of contract I was about concluding with Messrs. A. Collie & Co., and would have drafts from the Treasury sent out so that there should be no want of funds. This letter was received via Nassau, and as the Bermuda mail will be in on 8th or 9th instant, I hope soon to receive them; but if (as I fear will be the case) they are sent to Major Huse, or if he in any way has control over them, I doubt whether they will do any good. I have nothing new to advise except that the Diana is not yet ready. She is to have a trial trip next week, and I hope to get her away in a week or ten days after. I think it will be best to put less freight and more coal on her than the others carry, so as to avoid the necessity of calling so often for coal, and making out her cargo when she gets to Nassau.

I inclose copy of a letter addressed to Mr. Mason, and statement 24th May, and afterward at his request placed in the hands of General McRae; and also copy of another letter handed to Mr. Mason in Paris 4th instant. Mr. Mason informed me just as I was leaving Paris that the commissioner had determined to pay out of the Erlanger loan Colonel Gorgas' draft for £22,500, but that they did not feel willing to make me any further payments without orders from home. You may rely upon it that I will do all I can, but without money and without any authority to raise money much ought not to be expected of me. While in Paris I called on Mr. Slidell, not intending to say anything about business, as I had gone over hurriedly and did not carry any of my papers with me, and only called to pay my respects. He very soon got on the subject, and expressed his views very decidedly that our Government had made a great mistake in entering into this arrangement with me, and that it would be much better if it could be discontinued. I told him that I had no doubt that he arrived at his conclusions by the arguments of Major Huse, and as I had none of my papers with me I could not explain so fully as I would like, and did explain as best I could without them. He was not convinced. I informed him distinctly that I would do nothing at the suggestion of Major Huse, as I did not believe that he had at heart the good of our cause, but that I would seriously consider any suggestions that the commission then in Paris would make, and explained to him that I had written you offering to discontinue the arrangement if you desired it; to which he replied that he thought the commission (consisting of himself, Colonel Lamar, General McRae, and Mr. Mason) would unanimously propose to close it, giving Collie and myself the privilege either of taking all of the property ourselves or the Government taking it all, as we preferred; but that if anything was done it must be done at once, and if I returned to London that evening it might be too late, as we might at any moment hear of the capture or safe arrival of either or both of the vessels that had gone out. I told him that if they would unanimously make such a proposition, believing as I do that they would be governed by a sole desire to serve our Government, and not by any interested motive, that I would remain in London the next day to receive the proposition, and would seriously

consider and consult with Messrs. Collie & Co., and give them an immediate answer.

On my return to the hotel I met Mr. Mason and informed him that I should remain to receive it. He said I must have misunderstood Mr. Slidell about such a proposition being unanimous, as he had expressly told them what he had told me and written to you, and that the only terms upon which he would propose to annul the contract was on my saying that I preferred to do so because of the failure on the part of the Government to comply with its portion of the terms, and on account of the trouble and annoyance to which I was subjected by this failure and the opposition it met with on almost all sides here, and that if I put it on this footing he would advise that I had the right to cancel it. I am unwilling (if possible to avoid it) to annul the contract because it is not to my interest to carry it on. I knew when I entered into and signed it that I could do much better for myself, but I knew that it promised enough, if successfully carried out, and hoped gave me a position in which I could render great service to our people and Government, which was what I desired. So, the opinion of the commission being divided, and those opposed to my arrangement having been convinced by Major Huse, I took no further steps and heard nothing further from Mr. Slidell.

I have thus gone into the details of this conversation, at the risk of tiring you, simply to show you how very disagreeable is the position I find myself in here. On informing Mr. Collie on my return here, he expressed himself as perfectly willing to accept the proposition to cancel, and, further, to put it even on the footing Mr. Mason proposes in order to close it, but leaves me to do as I please about it. I will wait, at all events, until I have further advices from you, and, if possible, until I have time to hear from my letter of 6th of May, if I can work on so long, but it may be that in the absence of any means reaching me for the Government I may be forced, in justice to Mr. Collie, to dispose of the vessels now building or to make some arrangements to decrease the business before I hear fully from you.

I was very much grieved yesterday at receiving a letter from New York informing me that Maurice L. Hobson, of Virginia, a bearer of dispatches to the Confederacy, had been captured and sent North. I cannot believe that the dispatches were captured, as both mine and Mr. Mason's were placed in leaded boxes, and he was urged under any circumstances not to let them pass into other hands; yet, as he is spoken of as the bearer, I can but feel very uneasy until I hear further. By him I wrote you fully and inclosed signed contract exactly in all respects the same as was inclosed to you 13th of March. I am more than ever satisfied Nassau is the best port on the islands we can use, and I shall make no further shipment to any other place until I hear that it is necessary.

Anxiously awaiting your favors, I remain, yours, very respectfully,

WM. G. CRENSHAW.

[Sub-inclosure No. 1.]

MAY 24, 1863.

Hon. JAMES M. MASON:

SIR: As suggested, I beg leave to hand you herewith a rough statement of payments made by Messrs. Alexander Collie & Co., and estimate of the amount of money absolutely necessary to furnish cargoes for the steamers already sent from here and the Diana (which was launched yesterday), say, £53,534. As you are aware, at the time purchase of provisions was made by Mr. Bosher on the authority of

Alex. Collie & Co., it was on the promise of Major Huse that Colonel Gorgas' draft on him for £22,500, drawn on a shipment of cotton, would be paid in a few days. He even went so far as to send Mr. Bosher a letter saying that it would be paid on presentation by Messrs. Isaac, Campbell & Co., but before Mr. Bosher's return from Liverpool he rescinded that authority and drew on me for the amount, which of course I did not pay. If this draft had been paid it would have enabled me to work on with an advance of about £30,000 from Messrs. Alex. Collie & Co., which is the amount I had been promised if necessary. You will observe that I have added an estimate for preserved meats, which I am inclined to think would result very well at the reduced price now proposed. In order to send any by the Harkaway, which is now loading, we must decide at once. As heretofore stated verbally to you, I could make out with a portion of the money estimated for if I could have assurance of payments out of the loan as they mature. But as you are aware, I can give no assurance, having no orders on the depositaries, and no authority to draw any money except simply a letter from the Secretary of War requesting you to furnish me with all I required out of any funds the Government can command abroad.

ESTIMATE.

DR.		
Government's three-fourths cost of steamers Venus and Hebe	£35,000	
Payments already made on three steamers now building	9,000	
		£44,000
Invoice of goods shipped per Venus and Hebe		10,034
(In addition to which these steamers carried other goods bought by Major Ferguson, costing about £40,000.)		
Goods bought and now being shipped to Bermuda and Nassau to meet the Venus and Hebe on their return from the Confederate States, per sailing vessels Harkaway, Petrel, and Nautilus		23,000
Total amount paid for Government		77,034
CR.		
By amount paid by Mr. Spence on the order of Hon. J. M. Mason	£55,000	
Three drafts received of C. H. Bosher	2,500	
		57,500
Actual cash balance due by the Government		19,534
Balance of provisions already bought by C. H. Bosher and now in Liverpool, and which ought to be sent forward to the islands without delay to insure continuous cargoes for the Venus and Hebe and the steamer Diana, launched yesterday	25,000	
Three-fourths payments necessary on steamers now building within the next thirty days, including balance on Diana	9,000	
		34,000
		53,534
100,000 pounds of preserved meat, which could be had in time to go by the Harkaway this week if ordered at once	3,800	
Preserved meats proposed to be furnished at the rate of 175,000 pounds per week if the contract is closed, would amount to £4,000 per week for four weeks	16,000	
Preserved-meat contract continued to the 1st of August (five weeks) would be	20,000	
Balance due on two steamers building, to be paid for before the 1st of August	22,000	
		61,800
		115,334

Yours, very truly,

WM. G. CRENSHAW.

[Sub-inclosure No. 2.]

PARIS, *June 4, 1863.*

Hon. JAMES M. MASON:

SIR: Believing as I do that it is very important to send forward provisions to the islands as rapidly as possible in any event, and especially if we have lost control of the Mississippi River, as at present reported by the Yankees, I feel that I would fail in my duty if I omitted to call the attention of the representatives of the Government at present in Paris to this fact, and beg that some measure, if possible, be taken to pay the draft of Colonel Gorgas on Maj. C. Huse in favor of C. H. Bosher for £22,500, held by Messrs. Alexander Collie & Co. On Major Huse's promise to pay the draft in a few days, and his letter to Mr. Bosher to call on Messrs. Isaac, Campbell & Co. for payment, Messrs. Alexander Collie & Co. authorized Mr. Bosher to purchase provisions on account of our Government to the extent of £40,000. After the purchase was made the authority to Messrs. Isaac, Campbell & Co. to pay the draft was withdrawn. In a conversation with Major Huse yesterday he suggested that on going to Liverpool he ascertained that other drafts had been drawn on the cotton, but I reminded him that his orders to present the draft to Messrs. Isaac, Campbell & Co. for payment was written after his return from Liverpool, and that his withdrawal of this authority was only made when he found that Mr. Bosher was operating in the execution of his orders in connection with myself and Messrs. Alexander Collie & Co. Messrs. Alexander Collie & Co. are already in advance to the Government about £30,000, leaving about £20,000 yet due on the balance of the provisions. They have already done more than I had a right to expect, and it would be unreasonable to expect them to send forward these provisions and pay the additional amount until the draft on Major Huse is paid, and as I infer from him that he has no idea of paying the draft, I submit the question to you.

Yours, very truly,

WM. G. CRENSHAW.

EXECUTIVE DEPARTMENT,
Milledgeville, June 13, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

DEAR SIR: I received your communication of 6th instant on the 10th, and replied by telegraph, in which I stated that I would write you fully. I have your reply to-day to my telegram, and have sent you the inclosed dispatch by telegraph. While I am willing to do all I can, within the range of my constitutional and legal powers, to carry out the views of the President, I do not see how it is in my power to assist in raising the troops for local defense in any way only the one proposed in my first dispatch.

As I then stated, the laws of this State do not subject those over forty-five years of age to draft or militia duty, and I am not aware of the existence of any act of Congress which does. Both you and I seem, therefore, to be powerless to compel the service of those over that age. If, then, you fail to get volunteers under the acts of Congress for local defense, and you make requisition upon me for troops, to be composed of men over forty-five, you call upon me for those

whom the laws of the State have not placed at my command. If you insist on the volunteer companies being raised and tendered to you at Richmond, and commissioned from your office, you cause much delay in the organization, and you place it out of my power to render you much assistance, as all I can do in that case is simply to invite our people to form such companies and report them to you. If, however, you will authorize me to say to the people of this State that you make requisition upon me now for 8,000 volunteers for local defense, to be organized into companies, battalions, and regiments by the State and tendered to you as organized, and immediately mustered into Confederate service for six months, without pay or allowances, except when on actual duty, and in no case to be called out of the State or the section of the State which they have volunteered to defend, without their consent, and only to be kept in service till the exigency has passed, and then permitted to return to their ordinary pursuits till another emergency may arise, I think I can fill the requisition. I will, in that case, attempt it with all the energy I possess. I trust you will at once see the reason why this plan is more practicable than the other. If I am called on to organize and tender the volunteers as organized, I can use all the State officers in getting up the organizations, and as soon as a company is complete I can have it mustered in before there is time for disagreement or disbanding, which would frequently occur before you could send a Confederate officer to muster them in, and they could get commissions from Richmond.

If this plan is agreeable to the President I also ask for authority to direct State officers to muster the companies into Confederate service as fast as ready. There are one hundred and thirty-two counties in the State, many of them remote from railroad, and it would cause great delay and expense to send off in every case for a Confederate officer to go probably seventy-five miles from a railroad to muster in a company, while I could order a State officer in the county to muster them in and send the company roll to me to be forwarded to you without expense.

Again, there are many difficulties that arise in organizing troops, where questions have to be referred to headquarters which could soon reach me and proper instructions could be given; but if they must be sent to you for direction at so great a distance from the company, with so many other pressing engagements much delay and confusion must grow out of it. Again, I desire to submit a request that you appoint no Confederate officer in the State to get up organizations of this character while the requisition is upon me. If you call on me for the number of troops you need it is justice to me that I have the whole matter of the organization left in my hands till I fill the requisition. If you authorize Confederate officers in the meantime to come into the State to get up organizations independent of the State authorities, they naturally place themselves in antagonism to the State government, as they consider themselves its rivals in organizing troops, and conflict and confusion, if not ill-feelings, are the result. All this I desire to avoid, and I trust you will agree with me that my request in this particular is reasonable. Already a few companies have been organized and tendered to the commandants of the different military posts of this State. All these I wish to have report to me, and let me include them in the number you ask for and there is then order and system in the whole organization. I also wish to know whether the troops called for can be armed by you, or what number of arms you can furnish.

As you have referred to the subject of a draft, I will allude to that fact in my proclamation without saying whether there is State authority for it or not, as I think this may stimulate the volunteer spirit, as you seem justly to conclude. I shall delay my proclamation till I hear from you in reply to this letter unless your answer to my telegram of to-day (of which the inclosed is a copy) shall satisfy me that the suggestions herein contained are substantially approved by the President. If he is satisfied with this letter as the basis of the organization, and you will so say by telegraph as soon as you get it, I will proceed with the organization with the least possible delay. It may be necessary in getting up troops to accept those in the lower part of the State for the defense of that part, and those in the upper part for defense there, and possibly some about the cities for the defense of their own place. Will this be approved by the President?

I would further suggest that I be permitted to include in the organization persons between forty and forty-five years of age till the President shall have ordered them to be enrolled as conscripts, when they are to be dropped from these organizations. Many of them would be willing to volunteer, for the time, for home defense and I think it good policy to permit them to do so. As time is important, please answer promptly.

Very respectfully, your obedient servant,

JOSEPH E. BROWN.

[Inclosure.]

MILLEDGEVILLE, *June 13, 1863.*

Hon. J. A. SEDDON,
Secretary of War:

As you call on me for 8,000 men, organized for local defense, to be reported to you and mustered into Confederate service for six months, I ask that the whole matter be left in my hands and that no Confederate officer be authorized to raise companies while the requisition is upon me, as this produces conflict and confusion. I shall require all companies in the State for local defense to report to me and will report the organization to you as fast as possible. With your sanction I will detail State officers to muster the companies into Confederate service as fast as organized, as I cannot always have Confederate officers at hand in every part of the State. Please answer by telegraph on both points.

JOSEPH E. BROWN.

I send you this dispatch fearing that the other copy may have miscarried. A prompt reply is necessary, as I cannot act till I hear from you.

Very respectfully, &c.,

JOSEPH E. BROWN.

ADJUTANT-GENERAL'S OFFICE, VIRGINIA,
Richmond, June 13, 1863.

His Excellency JEFFERSON DAVIS,
President of the Confederate States of America:

SIR: The Virginia Military Institute is filled to its utmost capacity, and although the utmost order prevails, with an earnest, even zealous attention to study and obedience to all the rules of discipline, there

is coupled with the desire of each cadet to complete his course a restless feeling of uncertainty as to whether they ought not, every one of them, to be in the field, and an apprehension that the war may be over before they have struck one blow for Southern liberty.

It is understood that you regard this institution with much interest as being to the Confederate States, to a considerable extent, what West Point was to the late United States, and as possessing the capacity beyond any other Southern institution of training the best officers for the Army.

In this view, if it shall be your opinion that the cadets are more in line of their duty to our country in the course of training at the Military Institute, and will in fact render more important service to the Southern Confederacy by completing their course than by entering the Army before they graduate, I am well assured that a full expression of your opinion and wishes will have a controlling influence over them and effectually remove all doubt or apprehension in their minds as to the line both of duty and expediency.

The Board of Visitors and the superintendent are most anxious to direct the operations of the institute so as most effectually to meet the wants and wishes of the Confederate Government, and I beg leave to say for them that it will be most gratifying to receive from you any suggestions or recommendations as to the character and duration of the course of instruction, and on any and all other matters which in your judgment has, or may have, an important bearing upon its prospective value to our common cause.

I beg leave, therefore, with the highest respect, to ask a full and unreserved expression of your opinion upon the whole subject.

Very respectfully and truly, your obedient servant,

WM. H. RICHARDSON,

Adjutant-General of Virginia, Ex officio Member of the Board.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 84. } *Richmond, June 15, 1863.*

I. Ordnance officers on duty in the field do not form a part of the personal staff of the commanding general.

II. Chiefs of ordnance of armies and departments will be assigned by the War Department, and will not be removed except on orders through the Adjutant and Inspector General's Office.

III. Other ordnance officers will continue to serve with the commands to which they are attached until relieved by orders from the headquarters of the army or department in which they are serving. Copies of orders assigning or relieving ordnance officers will be forwarded to the chief of the Ordnance Bureau at Richmond.

By order:

S. COOPER,

Adjutant and Inspector General.

MONTGOMERY, *June 15, 1863.*

Hon. JAMES A. SEDDON,

Richmond:

Am preparing orders for raising the State troops called for by the President for local defense. It is impossible for the State to arm

them. If you will promise to arm them promptly the assurance will greatly expedite the organization. Please answer by telegraph, and designate also the proportion of cavalry.

JNO. G. SHORTER,
Governor.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 85. } *Richmond, June 16, 1863.*

I. The following act of Congress and the regulations adopted by the Department in pursuance thereof are published for the information of all concerned:

AN ACT to establish a Niter and Mining Bureau.

SECTION 1. *The Congress of the Confederate States do enact*, That the officers authorized and appointed under the act entitled "An act for the organization of a corps of officers for the working of niter caves," etc., passed April 11, 1862, together with such additional officers as are authorized by the provisions of this act, shall constitute an independent bureau of the War Department, to be entitled "The Niter and Mining Bureau."

SEC. 2. *Be it further enacted*, That said bureau shall have charge of all the duties prescribed in the second section of said act, and shall besides be charged with all duties and expenditures connected with the mining of iron, copper, lead, coal, &c., so far as it shall be deemed necessary to supply the military necessities of the country; and the superintendent thereof shall, under the Secretary of War, have full power to make such leases of real estate and purchases of fixtures as are necessary or appurtenant to any mines it may be deemed expedient to open or work on Government account; and may also contract, subject to the approval of the Secretary of War, for such supplies, by purchase or otherwise, of all copper, lead, iron, coal, zinc, and such other materials as may be required for the prosecution of the war.

SEC. 3. *Be it further enacted*, That said bureau shall consist of one lieutenant-colonel as superintendent; three majors as assistant superintendents; six captains and ten lieutenants, in which shall be included the officers of the present Niter Corps, who shall have the same pay and allowances prescribed for officers of cavalry of the same grades.

Approved April 22, 1863.

II. The Secretary of War is of opinion that it is necessary to accumulate supplies of iron in the various military departments for the repair of railroads, the manufacture of arms, munitions, and materials of war, and for the operations of the Quartermaster's, Ordnance, and Engineer Departments, and that experience has shown that the necessary supply cannot be obtained by purchase. Impressment, therefore, according to the act of Congress relating to impressments, has become necessary to secure a supply. It is ordered that all impressments that may be made of iron for this purpose shall be conducted by the chiefs of the Quartermaster's, Ordnance, Engineer, and Niter and Mining Bureaus, or by officers designated by them, who shall in every instance communicate to the owner the necessity that exists for the use of the property, the disposition of the officers to purchase the same, and an offer to purchase it at a price to be ascertained in accordance with the act relating to impressments if the parties cannot agree upon the same.

III. And whereas the existing necessity for iron in the departments aforesaid, and for the good of the public service, is such that all practicable measures must be taken to secure an adequate supply, it is further ordered that whenever it may become necessary to secure the full product of any mine or manufactory that the same shall be worked for the sole benefit of the Government of the Confederate States. It

shall be competent to the chief of either of the departments aforesaid to lease or purchase the same; and in case that the lease or purchase is impracticable, then they are authorized to impress the same for the use of the Confederate States during the war, or while such necessity shall continue.

IV. That proceedings under these orders will be conducted under the fourth section of the act concerning impressments, and in pursuance of the directions contained in paragraph I.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, June 16, 1863.

Governor J. G. SHORTER,
Montgomery, Ala.:

Volunteers are expected, as far as they can, to use the arms in their possession; deficiencies we expect to supply. Cavalry proper, armed with sabers, are not considered desirable, as without training they must be inefficient. Mounted gunmen to fight dismounted are advisable. The proportion of such may be left to the choice of the people, as from their habits many will prefer horseback.

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, June 16, 1863.

Governor J. E. BROWN,
Milledgeville, Ga.:

The privilege of organizing companies for local defense, and of tendering them to the President for acceptance, is allowed to the people by the act of Congress. I am not authorized to restrict or deny it. If you will undertake to direct such organizations, and can thus obtain the whole number required in Georgia for the purpose explained, I will thankfully accept your aid, and from this time leave the matter in your hands for execution.

JAMES A. SEDDON,
Secretary of War.

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
WAR DEPT., ADJT. AND INSP. GEN.'S OFFICE,
Richmond, Va., June 16, 1863.

In accordance with the request of His Excellency Governor Vance, of North Carolina, suggesting the propriety of allowing detailed men in that State at work for the Government to repair to their homes for two or three weeks to aid in securing the harvest, the Secretary of War directs that the chiefs of the different bureaus give instructions in their respective departments that men detailed in the Quartermaster's, Commissary, and Ordnance Departments, and Bureau of Conscription in the several States, be allowed to repair for two or three weeks to their homes, for the purpose indicated, without further reference to this Department. Officers will limit the number to those

who can be spared consistently with the pressing interests of the service, who are believed to be reliable, and who will return as soon as the harvest shall have been gathered. The whole matter is referred to their discretion.

Very respectfully, your obedient servant,

H. L. CLAY,
Lieutenant-Colonel and Assistant Adjutant-General.

Official: For the information and guidance of commandants of conscripts.

G. W. LAY,
Lieutenant-Colonel, Acting Chief of Bureau of Conscription.

MILLEDGEVILLE, *June 17, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

If you will accept volunteers organized under the acts of Congress for local defense, and those organized by the State and tendered, as explained in my letter of 13th instant, which has or will reach you soon, for the same service and same length of time, I will give to all the choice of the two modes of entering Confederate service, and I would then hope to be able to fill the requisition; and if you will then put it all under my control in this State I will undertake to get up the number you ask for as fast as possible.

JOS. E. BROWN.

BY THE GOVERNOR OF NORTH CAROLINA:

A PROCLAMATION.

Whereas, the President of the Confederate States, by virtue of the authority vested in him by the Constitution, has made a requisition upon North Carolina for 7,000 men to serve within the limits of the State for six months from and after the 1st day of August next; and whereas, it is desirable that if possible the troops should be raised by voluntary enlistment, with the right to select their own officers:

Now, therefore, I, Zebulon B. Vance, Governor of North Carolina, do issue this my proclamation, calling on the patriotic citizens of the State to volunteer for State defense, and tender their services in companies, battalions, and regiments on or before the 17th of July. The control and management of the troops raised under this proclamation will be retained by the authorities of the State. Orders for the enrollment of the militia, preparatory to draft, in case it may be necessary, will be issued by the adjutant-general.

In witness whereof, Zebulon B. Vance, captain-general and commander-in-chief, hath signed these presents and caused the great seal of the State to be affixed.

Done at Raleigh this 17th day of June, A. D. 1863, and in the year of American Independence the eighty-seventh.

[SEAL.] Z. B. VANCE.

By the Governor:

R. H. BATTLE, JR.,
Private Secretary.

[JUNE 17, 1863.—For Bonham to Seddon, inclosing proclamation calling for 5,000 men from South Carolina for local defense and special service, &c., see Series I, Vol. XXVIII, Part II, p. 143.]

RICHMOND, VA., *June 17, 1863.*

General W. H. RICHARDSON,
Adjutant-General of Virginia, Richmond, Va.:

GENERAL: I have the honor, by direction of the President, to acknowledge the receipt of your letter of the 13th instant in relation to the Virginia Military Institute. The President takes a warm interest in the efficiency and success of the military schools in the several States of the Confederacy, but having had no opportunity to form any opinion by observation of the relative merits of the systems of education pursued at these institutions, he does not desire to be understood to express any especial preference for any. His Excellency is debarred from expressing any opinion as to whether the cadets at the Virginia Military Institute do better service to their country by pursuing their studies than by joining the Army, because his action in regard to the matter must necessarily conform to the law, which requires all citizens who are over eighteen years of age to enter the service, and which leaves him no discretionary power to which the case of cadets who have become liable to military duty can be properly referred. The President would be glad to comply with the request of the Board of Visitors, as expressed by you, that he should make suggestions as to the "character and duration of the course of instruction," &c., but the pressure of public business will only allow him to refer the Board to a report made by him in 1860 on the subject of military education at West Point, in which his views are given at length.

With assurances of the President's respect and esteem, I remain, general,

Your obedient servant,

WILLIAM M. BROWNE,
Colonel and Aide-de-Camp.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., June 19, 1863.

His Excellency JOSEPH E. BROWN,
Governor of Georgia:

SIR: I am gratified to receive by your letter of the 13th instant assurance of your desire to co-operate in securing for casual and temporary service the forces desired by the President for the defense of your State. With the mutual purpose of effecting this end in the speediest and most certain mode compatible with existing laws, I cannot doubt accord in the means of operating may be readily obtained between us. As I explained to you in my original letter, the organizations which it was thought would most effectually secure the ends proposed would be those under the act of Congress of 1861, for local defense and special service; but as these were purely voluntary, it was thought best to add to the motives for their formation the alternative of a call to the militia service, and thus to assure in any event the required force.

I regret to learn that no law of your State allows the calling out as militia any over the age of forty-five, as I had hoped the announced purpose, in case of a deficiency in the proposed organizations to call on the militia, would have presented to almost every man in your State capable of [bearing] arms the choice between a volunteer organization and service in the militia; still, although in this respect the alternative of choice between the two modes of service will not extend as generally as was anticipated, the number of exempts, and those between the ages of forty and forty-five who, until called out by the President under the law of conscription, would be liable to militia duty, would, in your large and populous State, be sufficiently great to assure very nearly, if not quite, the force for which requisition was made on you. I do not doubt, therefore, that in the mode originally contemplated the number of men required might be obtained in organizations under the law of 1861, which, for the reasons mentioned in my letter, and since in my telegrams, are thought decidedly preferable to militia, or organizations on a basis similar to the militia, for a limited period of service.

As I have also explained in my telegrams, I have no power, even if I wished, to preclude the people from forming volunteer organizations under the law of 1861, and tendering them for service, which, when accepted, would exempt from the liability to militia call. It is not perceived by me, then, how I can or ought to prevent such organizations, and cast entirely upon the State authority the formation of corps for local defense. You will observe the call on you was not, in the first instance, for the force required as militia, but only for such number of militia as had not been met by the voluntary organizations. Thus the view strongly presented by you, that, as the call is made on you, the whole matter should be committed to your discretion and control, loses much of its applicability and force.

The difficulties, delays, and confusion you anticipate as arising from the organization of these volunteer associations under the auspices of the Department are not apprehended as likely to occur. The process of forming the organizations is very simple and familiar to your people as having been generally adopted in volunteering for the Provisional Army. There will be no occasion to send on to the Department here anything but the muster-rolls, duly authenticated, which, under the regulations to be issued, may be verified by a judge, justice, or colonel of militia. I think, with deference, the whole matter of prompt and easy accomplishment.

My sole purpose, however, is to secure the requisite force with the greatest facility and least delay, and if organizations of equal efficiency can be secured more readily by your executive action, I shall be happy to accord the supervision and direction to you. As far as organizations are voluntarily made under the law of 1861, by the action of the people, I must, of course, accept them; but, as I have informed you, I shall abstain from giving any further authority or permits to Confederate officers, and leave to you to encourage and arrange such organizations.

As far as I can gather your wishes, you prefer organizations under State authority and their acceptance as State troops. I do not deem it desirable, chiefly on account of the limited term of their proposed service engagement (six months), that they should be mustered and received as militia; but if you can organize State volunteer organizations of equal duration and equal liability to call for special service as emergency may demand and tender them for acceptance to the

Confederate Government, they will be cheerfully accepted and put on like footing as constituting when in service part of the Provisional Army.

As you may have inferred from a previous passage of this letter, it is expected that men between forty and forty-five shall enter the proposed organizations; but should such be hereafter called out by the President they will be liable to be transferred or discharged and conscribed.

It is expected that as far as the men entering these organizations have guns or arms they shall use them, but we hope to be able to make up deficiencies in arms and accouterments, and to supply ammunition when needed.

The limited resources of the Department will not allow me to promise with fuller assurance. Certainly all in the power of the Department will be done to render the organizations as complete and efficient in equipment as may be practicable.

With high esteem, very truly, yours,

JAMES A. SEDDON,
Secretary of War.

RICHMOND, *June 21, 1863.*

Hon. J. A. SEDDON,
Secretary of War:

SIR: I took occasion a few days since to call your attention to the fact that the officers of this department were not supplied with necessary funds, owing to the practice which I am informed obtains of marking requisitions for other bureaus of the War Department "special." On inquiry at your office I have ascertained that requisitions are laying over in favor of officers of my department amounting to $15,459,574. There are estimates now on my table ready to be sent in amounting to $15,187,547.39, and from a statement from the office of the Secretary of the Treasury there remain in his office requisitions not filled amounting to the sum of $14,896,557.64 pertaining to officers of the Quartermaster-General's Department. From this statement you will perceive that to meet all demands upon this department up to date the sum of $45,543,678.39 will be required to pay requisitions issued and to provide for those issued to-day.

I submit the matter respectfully for your action.

A. C. MYERS,
Quartermaster-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., June 21, 1863.

WILLIAM G. CRENSHAW, Esq.,
London, England:

SIR: I have been pleased to receive your several letters informing me of your views and operations in carrying out the contract contemplated in my letter by you to the Hon. James M. Mason, and subsequently entered into by that gentleman, acting in behalf of this Department with you. My official engagements are so engrossing that I have not been able to reply personally, as I would have preferred; but through Major Ruffin and your brothers I have endeavored to keep you advised of my views as to your operations, and, through instructions which I have caused the Ordnance Bureau to send to

Major Huse, I have endeavored to give you such facilities as I could readily afford. I have regretted the embarrassments which have grown up in the relations of Major Huse and yourself, and that distrust on your part and jealousy, or perhaps a desire to engross the whole business of the Department on his side, have taken the place of the cordiality and co-operation I had hoped. You will recollect that you yourself advised decidedly to have only one financial agent of the Department abroad, and that as far as practicable general supervision of purchases and expenditures should be exercised by one mind. The selection of Major Huse for this purpose was naturally induced by the position he already held, and the fact that the chief purchases of the Department abroad had heretofore been made by him. I am naturally very averse to entertain suspicions against a regular officer of the Army, whose professional training and sentiment should assure honor and integrity, and must, in common justice, require very satisfactory proof before taking steps which might cost him both his commission and character.

The statements which, in one form or another, have come to me in respect to his connection with the house of Isaac, Campbell & Co., and some of his dealings therewith, have caused me to direct an honorable, competent, and reliable gentleman, Mr. McRae, now abroad on an official mission, to make thorough examination and settlement of his accounts, and if there has been anything irregular or censurable in his past conduct of affairs it will doubtless be disclosed or detected and reported.

I have certainly felt some surprise and annoyance that in his relations with you—instead of acting in the spirit of co-operation I had urged, and using the increased powers I had intrusted him with, to advance the plainly expressed wishes of the Department in respect to your contract and expected operations—he has exhibited a disposition to thwart and a refusal of all aid.

I am indebted to Mr. Mason for the confidence and liberality with which he carried out my views, and think Major Huse might well have deferred to his construction of my declared wishes without undertaking, on casual expressions in letters from the Ordnance Bureau, to make me change my avowed purposes and annul engagements I had authorized. I am, too, especially surprised that, with the information he had received of the wants of the Commissary Department for commissary stores, he should have failed promptly to pay, or, if he had not funds, to arrange (as it appears he could have done) to discharge the draft which Colonel Gorgas had drawn upon him in favor of Mr. Bosher. In regard to these matters I have caused instructions to be sent him, and shall endeavor to write him personally, and I trust the draft at least has been already, or soon will be, paid.

The relations between Major Huse and yourself satisfy me if I retain (as for the present, and until the results of the investigation ordered, I feel bound to do) that officer in his position I must dissociate you from him in the further conduct of your operations under your contract. As the interests under that contract are not purely governmental, but complicated with private interests, it is, perhaps, better in any view they should be dissociated and kept distinct. I expect to do this, as far as practicable, in the future. My leading motive, still continuing with its original force to the contract with you, was to secure the superior vigilance and judgment of a capable merchant, personally interested in the conduct of the exporting and

importing business, to which, under the blockade and in the exceptional circumstances of the war, the Department was forced to resort.

I have no disposition to change this arrangement or become the exclusive owner, for the Department, of the ships either purchased or contracted for under your contract. While, therefore, appreciating your offer, I am pleased that Mr. Mason advised against your acting upon it, and I prefer you should continue to give your experience, energy, and judgment to the conduct of a business in which, I hope, with reasonable profits to yourself and your associates, you will be enabled to render valuable service to the cause of your country. My only difficulty on this whole subject results from my inability to give the prompt aid I desire and expected in the purchase of the steamers you have contracted for. I had full reason to believe that funds to meet the portion of expenditure required from this Department could be readily furnished in sterling by the Treasury Department; but subsequent events make this now very doubtful. With adequate time the shipment of cotton would, of course, meet the engagements; but without aid from the Treasury that resource will not be available in time. I can only promise on this point that I shall be prompt to use such available funds as the Treasury Department can put at my command (beyond the actual needs to keep up our supplies for our Army), as well as the proceeds of the cotton I shall urge forward to meet your contracts. If these fail I must either rely on you to negotiate funds or allow the sale of some of the steamers being built. I consider this Department strictly responsible and bound to provide funds for only the half of the last three steamers to be delivered, as it has advanced for the Navy Department on the first two enough to pay for its interest in the third. You will readily perceive this; but still I shall endeavor to facilitate the payment of all the contract ostensibly calls for from this Department.

In the purchase of supplies you will be strictly instructed. At present you will have full employment in purchasing and bringing over subsistence stores and such quartermaster's stores as Major Ferguson may have secured orders for. As ordnance stores of all kinds require special knowledge and inspection, they will be purchased and sent forward by Major Huse, to be shipped from the islands in Government steamers. This arrangement is recommended by the further consideration that such stores are contraband of war, and it is not desired to expose the Collie steamers to the additional risk, when not absolutely necessary, of carrying contraband.

I have had, however, with both of your brothers the distinct understanding that whenever necessary even contraband—and at any time Government freight at the islands requiring transportation—will be taken by the Collie steamers. In such event the 2½ per cent. commission, on what should have been your purchases, will be remitted out of the corresponding commission on the cotton furnished by the Department. With the above exception, I expect the business to be conducted by you and your associates on the basis of a separate mercantile business. The cotton will be furnished by the Department at fair market rates; will be shipped, sailed, delivered, and sold under your charge; expenses and the cost of return cargo deducted, and the balance applied to steamers, if anything be due thereon, or otherwise the Department's share paid over to the depositary of the Treasury in London to the account of the Department. Account will be kept and rendered of each voyage or venture.

In one small particular I observe a departure in the contract made by Mr. Mason from the terms of my letter. It is in regard to the commission on the sale of the vessels, should such sales be made. I had supposed all sales would be made at 2½ per cent. commission; indeed, I had not exactly contemplated any commission on the vessels, as to either purchase or sale, but think they come within the terms of the letter, and should be regulated by the same rule. I mentioned this to your brother James, and asked him simply to mention it to you, as I did not doubt it could be readily arranged on your examination of my letter, or, if you differed from me, determined in some equitable manner.

I am pleased you are associated with Messrs. Collie & Co. In the sale of the Giraffe they acted in a spirit of liberality and friendliness to our Government, which is gratefully appreciated. It will be a source of gratification if in their further connection with the Department they shall find a liberal compensation to themselves, as well as the opportunity of further manifesting their kindly interest in our cause.

Very truly, yours,

JAMES A. SEDDON,
Secretary of War.

GENERAL ORDERS, No. 86. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, June 22, 1863.*

Whereas, there have been a number of applications to this Department for authority to raise companies for local defense and special service, and for instructions as to the method by which such organizations may be made and the privileges they may claim, the Department has adopted the following regulations on the subject:

I. Companies, battalions, and regiments composed of persons not within the age of conscription (eighteen and forty) will be accepted as volunteers throughout the Confederacy, under the act of August 21, 1861 (No. 229), for local defense and special service.

II. The organization of corps for local defense must conform to that prescribed for companies, battalions, and regiments of the Provisional Army. The minimum number for a company of infantry is sixty-four rank and file, and for cavalry sixty. Battalions must consist of not less than five companies, and regiments of ten. Artillery is not desirable. Members of cavalry companies must furnish their own horses, but will receive 40 cents per day for their use while in actual service.

III. The muster-roll of all such organizations shall specify that the said organizations are raised under this act, and subject to these regulations, and contain a description of the volunteer as to age, residence, and date of enlistment, and the term of enlistment for the war.

IV. Such organizations will not be considered as in actual service, for the purpose of receiving pay or subsistence, except when called for by the President.

V. They will not be called for until a necessity arises for service. They shall not be required to go beyond the limits of the State to which they belong.

VI. They are expected to serve, when called out, only so long as the emergency exists, and then to return to their ordinary pursuits until again called.

VII. Arms and equipments, when not possessed by the members, will, to the extent necessary to supply, be furnished by the Confederate States.

VIII. Should any of them be captured, they shall be claimed as prisoners of war, and all the protection of the Government will be extended to them.

IX. Field officers of battalions and regiments to be organized will be appointed by the President, in accordance with the act aforesaid. Company officers may be elected by the companies, or appointed, as the members may consent.

X. That these organizations will be preferred to and exempt their members from any call of militia.

XI. The commandant of any military post of the Confederate States, the sheriff of any county, or the colonel commanding any militia regiment, or the judge or justice of any county or other court, may certify and return the muster-rolls, which must be sent to the Adjutant and Inspector General's Office at Richmond for acceptance.

XII. In the event of a call by the President, under the law of conscription, on all between the ages of forty and forty-five, those in said organizations subject to such call will be liable to discharge or transfer.

For the information and guidance of those desirous of volunteering for local defense, the law of August 21, 1861, is hereto appended:

AN ACT to provide for local defense and special service.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be, and he is hereby, authorized to accept the services of volunteers of such kind and in such proportion as he may deem expedient, to serve for such time as he may prescribe, for the defense of exposed places or localities, or such special service as he may deem expedient.

SEC. 2. And such forces shall be mustered into the service of the Confederate States, for the local defense or special service aforesaid, the muster-roll setting forth distinctly the services to be performed; and the said volunteers shall not be considered in actual service until thereunto specially ordered by the President. And they shall be entitled to pay or subsistence only for such time as they may be on duty under the orders of the President or by his direction.

SEC. 3. Such volunteer forces, when so accepted and ordered into service, shall be organized in accordance with and subject to all the provisions of the act entitled "An act to provide for the public defense," approved March 6, 1861, and may be attached to such divisions, brigades, regiments or battalions as the President may direct, and when not organized into battalions or regiments before being mustered into service, the President shall appoint the field officers of the battalions or regiments, when organized as such by him.

Approved August 21, 1861.

By order:

S. COOPER,
Adjutant and Inspector General.

[JUNE 22, 1863.—For proclamation of Governor of Georgia, calling for 8,000 men for local defense, &c., see Series I, Vol. XXVIII, Part II, p. 154.]

MONTGOMERY, *June 23, 1863.*

Hon. JOHN A. CAMPBELL,
Assistant Secretary of War:

DEAR SIR: You will see from the inclosed slip that I propose to aid in raising, as promptly as possible, the 7,000 troops recently called

for by the President from this State (Alabama). I would respectfully submit a suggestion which occurs to me might be of considerable advantage at present and in the future toward strengthening our forces in the field. In several counties of this State there are, unfortunately, quite a considerable number of troops, or rather men fit for troops, hiding and skulking in the hills and mountains, where it would require a force nearly equal to themselves to ferret them out and arrest them, and this being done, they are of very little service and of no reliability. These men might be, in a great many instances, reclaimed by allowing them to volunteer and serve in this six-months' term, under officers elected by themselves, but who could be judiciously indicated to them by one in whom they had confidence. By a judicious course of discipline and treatment they could at the end of this term be turned over to the Army without difficulty. I am sure that I could name several counties in this State where this system might reclaim numerous fine soldiers, and if it shall be allowed to take them for the six months, I will make it my business to make appointments to meet the people of these counties, speak to them, and try and reclaim them to the service. I confess that I make my suggestion to the Department with great reluctance, but after all, I am anxious and ready to serve my country, especially in this trying emergency; and hence I have ventured to address you this note. Nor would I have made the suggestion, but that I fear that these 7,000 volunteers or troops will not be otherwise promptly forthcoming.

I have the honor to be, with great respect, your very obedient servant,

J. J. SEIBELS.

[Inclosure.]

RESPOND TO THE CALL FOR TROOPS.

The undersigned feels it his duty to respond to the call which the Governor has made upon the State in his recent proclamation for 7,000 troops to serve for six months by an effort to aid in raising at least one of the regiments in this section of the State from volunteers. These troops are intended for State defense, and mainly for the purpose of repelling the raids which the enemy may undertake at any moment and in any quarter; consequently mounted troops would be most efficient, from the celerity with which they could assemble and move from point to point. The proposed regiment, therefore, will be of mounted men, drilled as infantry and cavalry, to fight on foot or horseback. All those wishing to join such a corps with the undersigned will at once unite in companies, each to consist of 1 captain, 1 first lieutenant, 2 second lieutenants, 5 sergeants, 4 corporals, 1 bugler, if practicable, together with at least 64 privates, making in all 77. When this number is attained the company will elect their officers and report at once to the Governor and inform me of the fact, when an officer will be sent forthwith to muster them into service. The great advantages secured personally to these volunteer organizations are apart from the conscious gratification of serving one's country without compulsion and escaping the odium of a draft when the country is in peril; that they remain at home with their families attending to their business until the exigency arises from active service. They elect their own officers and thus avoid the possibility of having strangers or obnoxious persons to command them.

And now, my countrymen, once more to the rescue. Don't stand back because you are a little over age, although this call is only for those between eighteen and forty-five not liable to the conscription. I only ask you to do what I am willing to do myself. It is my honest conviction that if we can only keep back the enemy and prevent him from further progress in our territory for the term for which we are called out, that we shall then have peace. In this we can most materially aid. But if we are further overrun, the war must, with all its horrors, be prolonged indefinitely, or we must submit to the yoke of the conqueror—an alternative that no true friend to the country would countenance for a moment.

I append an extract from the law of March 6, 1861, relative to compensation, &c., and a few suggestions upon the important matter of equipment.

Extracts from the law, March 6, 1861.

SEC. 4. Non-commissioned officers and privates in any company shall be entitled, when called into actual service, to money in a sum equal to the cost of clothing of a non-commissioned officer or private in the Regular Army of the Confederate States.

* * * * * * *

SEC. 7. * * * entitled to the same pay and allowances as may be provided for the Regular Army. All non-commissioned officers and privates, musicians, and artificers shall be allowed 40 cents per day for the use and risk of their horses. * * * For horses killed in action volunteers shall be allowed compensation according to their appraised value at the date of muster into service.

Each volunteer must at once procure a good, strong, serviceable horse, saddle, and bridle, the stirrup leather and bridle reins of the best and stoutest material. The bridle should be made so that the bits should be buckled up to the headstall on one side, so that by simply unbuckling, the horse would be ready to forage, the bridle never taken off at all. A cartridge-box or pouch capable of holding sixty rounds of ammunition must be made of material perfectly impervious to water from rain. Straps should be provided to buckle on the blankets, clothing, &c., to the saddle, for which rings must be securely fastened to it. An oilcloth or other substance that will turn water should be provided, if practicable, to throw over clothing, &c. So soon as a company is organized the captain will order an inspection of arms with the view of ascertaining how many can arm themselves. Each man must furnish his own gun where it is possible to do so; but where it is not, the Government will supply the deficiency. But let it not be lost sight of that the double-barreled shotgun is the most effective arm in the world for service, and the Government only will be able to furnish the single-barrel rifle or musket. So soon as this inspection is made the captains will report forthwith to the undersigned the number and description of arms on hand in his company, and if possible the caliber of each. Those needing repairs will, if properly labeled and forwarded to Montgomery to Col. A. B. Clitherall, ordnance officer, be repaired at the expense of the State. The troops will be furnished with ammunition so soon as they are mustered into service.

J. J. SEIBELS.

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, Va., June 23, 1863.

A difference of opinion having arisen as to the right of officers of conscription to order a re-examination of persons to whom exemptions

have been granted by medical examining boards, and upon the duties of such boards, as governed by paragraph II, General Orders, No. 39, current series, in connection with General Orders, No. 58, of 1862, and 22, of 1863, Adjutant and Inspector General's Office, the following instructions are issued for the information and guidance of all concerned:

The War Department, in its construction of the act of Congress providing for the examination of enrolled persons by a medical board, whose decision should be final, "has not regarded the term 'final' in this act as importing that there should be but one examination of the Medical Board, or that their certificates cannot be recalled or revised." The condition of a person's physical or mental capacity is liable to change, and with the changes that may occur his liability to perform service may alter.

"The act of Congress makes these certificates of the Medical Board 'final' in the sense that it settles the liability so long as it is in force; that the person is not subject to the enrolling officer or commandant of conscripts while it is in force. But this agency for enforcing the conscript act, like all other agencies of its administration, is subordinate to the War Department, as charged by the President with its execution. The Department can call out and place in service from time to time persons enrolled who are not in the service, and may direct the inquiries proper to accomplish the object."

The War Department having the necessary authority to order re-examination in all cases, recognizes the hardships that would result from an indiscriminate exercise of this power, and is of opinion that it should be used only in a limited way. Enrolling officers will therefore exercise great caution in executing the following instructions:

When, in the opinion of enrolling officers, the causes for which exemption was granted to a person after examination by the Medical Board have ceased to exist, they will make a report in full to the Board, stating the name of the person, when enrolled, when examined, and the disease, with reasons for believing it to have disappeared, and that the person is capable of performing service.

If the Examining Board shall think proper, it will order the party to be brought before it for a re-examination. Until the Board shall so order, the person exempted will not be molested.

In this connection it is deemed proper to state that General Orders, No. 22, of 1863, and 58, of 1862, Adjutant and Inspector General's Office, are general instructions, and should not be construed as an exhaustive enumeration of causes insufficient to exempt from review a verdict of physical incapacity for military service.

G. W. LAY,
Lieut. Col. and Asst. Adjt. Gen., Acting Chief of Bureau.

(To Commandants of Conscripts.)

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, Va., June 23, 1863.

To enable this Bureau to refer for the approval of the Secretary of War general regulations concerning the extra compensation of detailed men, commandants of conscripts will report what sum they deem proper to be allowed to the men in their employ.

Attention will be paid to the intention of Congress in passing the act, which was not to offer a premium to this service, but to increase the pay to the extent required by the necessary daily expenses actually incurred. It is presumed that the additional compensation recommended will depend upon the locality, the cost of living varying with the district. Specific estimates of the expense necessarily incurred in the different districts will be given in the reports with the sum recommended as extra compensation, and in general, any information that will lead to the formation of a correct opinion on the subject.

The commandants are referred to General Orders, No. 75, Adjutant and Inspector General's Office, current series, which will be carefully considered as an expression of the views of the War Department on the subject.

G. W. LAY,
Lieut. Col. and Asst. Adjt. Gen., Acting Chief of Bureau.

(To Commandants of Conscripts.)

GENERAL ORDERS, No. 88. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, June 24, 1863.*

Operators on telegraph lines, established by military commanders for military purposes, will be allowed payment for their services, not to exceed the rate of compensation fixed and allowed by the Postmaster-General to the operators under his control.

By order: S. COOPER,
Adjutant and Inspector General.

BUREAU OF CONSCRIPTION,
Richmond, June 24, 1863.

General S. COOPER,
Adjutant and Inspector General:

SIR: The evil of desertion from the Army, with the determination to avoid and even resist future service, appears of late on the increase, and it is the more difficult to deal with that the soldiers now bring with them Government arms and ammunition, banding among themselves and with evaders of conscription. The enrolling officers are sometimes shot by them and the community kept in terror. This state of things exists more or less in each of our Atlantic States especially. The various mischiefs resulting apart from the loss of soldiers to the Army are such as all good citizens are interested in putting down; and there is a general desire growing up to aid the Government in this matter. The War Department looks to the agencies of conscription to apply the remedies. The resources at command of the authorities of conscription are insufficient in number and in character for the repressive measures needed. Applications for aid to the military commanders are usually unsuccessful. Occupied with the enemy the generals expect these matters to be somehow provided for by home authorities, and are not tempted to even a brief loan of force by the prospect of return in an addition to their numbers. There are many objections to asking special organizations for the purposes in

view. It is therefore suggested, first, that conscripts enough be retained from among those presenting themselves as owning horses for cavalry service to supply the necessities for patrols in each State, and be allowed while so employed cavalry pay and commutation of forage and rations. No additional officers will be needed; only authority to draw arms. Second, that the commandants of conscripts for the State be authorized to order payment to citizens while aiding in this business of a fair price for their horses and actual expenses of travel and forage, also to hire horses when necessary to mount enrolling officers or conscripts. This authority would need to be exercised for a time on a somewhat large scale, but the ultimate economy and public advantage of speedy repression before this evil can spread into large proportions would be very great. These commandants are very judicious and discreet officers. Third, that where the Governors of States may consent small bodies of militia may be taken into temporary service under these commandants and paid as infantry or cavalry according to the duties required. For example, at the ferries over some of the streams in Virginia guards are very necessary to stop soldiers escaping from the Army to North Carolina and Tennessee. These militia might furnish these, say, for a moment, in order to act vigorously at once, an average of fifty men to each Congressional district. Fourth, as a mere suggestion (liable, perhaps, to objection in other respects) I invite consideration whether a call may not be made on the men between forty and forty-five for this home service only (under the commandant of conscripts), which is as important to the police and peace of the home community as to the Army. If these measures be adopted my inclination inclines me to believe that in a few weeks it will have become known throughout our armies that home affords no safety for the individual deserter, still less for armed bands of such.

I am, sir, very respectfully, your obedient servant,

G. W. LAY,
Lieutenant-Colonel and Acting Chief of Bureau.

[Indorsement.]

Approved, except the last suggestion, which is not at this time deemed judicious.

J. A. S.,
Secretary of War.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 89. } *Richmond, June 25, 1863.*

All discharges for disability will be held as conditional, dependent upon the disability, and valid only during its continuance. If on examination the disability is at any time found to have ceased, the holders will be liable to conscription, to serve the unexpired terms of their enlistments. This regulation applies to substitutes, whether under or over the age of conscription. Their services are due for the war, and the Government should not be deprived of them, for what proves to be a temporary disability.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 90. } *Richmond, June 26, 1863.*

I. The senior officer of engineers serving with an army in the field will be held responsible for the proper execution of all duties appertaining to his department; and the orders of the commanding general relating to the engineer service will be communicated through him, and he will recommend to the general commanding the assignments of junior officers of engineers to serve with corps, divisions, and brigades. The engineer officer of highest rank in each assignment will receive the orders of his immediate commander, report to him whatever concerns the engineer service, and communicate to him the orders he receives from the senior engineer. He will also report to the senior engineer all his operations, with sketches, drawings, and maps for the information of the commanding general, and for transmission to the Engineer Bureau.

II. All officers of engineers, and employés under the Engineer Department, will communicate through the proper channels with the senior engineer serving with the army in the field, be responsible to him for all public funds and property in their hands, and receive his orders and instructions.

III. The duties of officers of engineers serving with the armies of the Confederate States in the field, camp, or cantonment are as follows, viz: To make reconnaissances and surveys of the sections of country occupied by our forces, and as far as possible of the country held by the enemy, embracing all the information that can be obtained in reference to roads, bridges, fords, topographical and military features, the character and dimensions of the water courses, the practicability of constructing fixed and floating bridges, the extent of wooded and cleared lands, and the capacity of the country to supply the general wants of the army; to make detailed examinations and surveys of positions to be occupied for defensive purposes; to select the sites, and form plans, projects, and estimates for all military works, defensive or offensive, viz, field forts, batteries, rifle-pits, lines of infantry cover, military trenches, parallels, saps, mines, and other works of attack and siege; also works for obstructing rivers and harbors; to prepare such maps and plans as will give a full knowledge of the ground and proposed works, and submit the same to the commanding general for his information and consideration, and forward, through the proper channels, copies of all reports, memoirs, estimates, plans, drawings, and models relating to the duties above enumerated to the Engineer Bureau, at Richmond.

IV. The locations and plans for the works being thus determined, they will be marked out on the ground by the engineers, who will indicate by stakes, lines, profiles, and other guides the shape and dimensions of the different parts for the information and government of those who direct the troops or laborers employed to do the work. When troops are detailed to construct temporary defenses they will be in all cases commanded by their officers, who will see that the work is done in exact conformity to the plans and directions of the officer of engineers, without regard to rank.

V. When an officer of engineers is charged with directing an expedition, or making a reconnaissance requiring the support of an escort, without having command of the troops, he will call on the commander

of the escort to move with and extend to him all protection necessary to secure the success of the operation.

VI. Officers of engineers will not assume nor be ordered on any duty beyond the line of their immediate profession, except by special order of the President. In the operations of the armies of the Confederate States, all that appertains to the science of civil or military engineering will be assigned by commanders to the officers of engineers serving with their forces; and with them will rest the responsibility of a proper execution of the works. The labor will be performed, if possible, by details of troops commanded by their officers; in other cases, by hired labor under the control of overseers employed by the engineer officers.

VII. Officers of engineers will not be required to give other supervision to the fatigue parties or laborers employed in the construction of works than is necessary to indicate, in a clear and distinct manner to those directing the labor, their plans and the character of the work to be done.

VIII. The senior officer of engineers serving with a commanding general in the field will transmit to the Engineer Bureau at Richmond the reports, plans, and journals called for by paragraph 478, Army Regulations.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, June 26, 1863.

Governor J. E. BROWN,
Milledgeville, Ga.:

SIR: Your communication of the 30th of May last has been received, and the consideration given to it required as well by the serious consequences of the claim of a right to fill the vacancy occasioned by the death of the lamented Colonel Slaughter, of the Fifty-first Georgia Regiment, by election, as by the earnestness and confidence with which the claim is presented. It appears from the muster-rolls filed in the Office of the Adjutant and Inspector General that the Fifty-first Georgia Regiment was mustered directly into the Confederate service on the 4th of March, 1862, for three years or the war. The regiment was raised under the act of January 23, 1862, which authorized the President to call upon the several States for troops to serve for three years or the war; and a circular on the subject from the War Department of February 2, 1863, was addressed to the several Governors. By the tenth section of the act of April 16, 1862, commonly known as the conscription act, it is provided that all vacancies shall be filled by the President from the company, battalion, squadron, or regiment in which such vacancies shall occur by promotion according to seniority, &c. This provision was supposed to apply only to troops referred to in that act, but, as if to put the question at rest on this point, five days after, to wit, on the 21st of April, 1862, Congress passed a general act providing that all vacancies shall be filled by the President, &c., by promotion according to seniority, &c. It seems to me, therefore, that in accordance with this last act all vacancies in volunteer organizations are to be filled by promotion according to seniority, &c., and that the vacancy

referred to in the Fifty-first Georgia Regiment should be so filled, and not by election. The laws and regulations provide for a stringent investigation as to the fitness of an officer for promotion, to which he would be entitled by seniority if worthy; and, as you state that such promotion has been made of the officer entitled by seniority, it is presumed that he is worthy to fill the place. The act of the general announcing the promotion is in accordance with the laws of Congress, with the regulations and uniform usage of the service, and is approved by the Department. It is to be regretted that this difference of opinion should have existed, and that the expression of your views should have been given such direction as may possibly excite some dissatisfaction among the officers of that gallant regiment. It is hoped that upon a reconsideration you will concur with the views herein expressed.

With esteem, respectfully, yours,

JAMES A. SEDDON,
Secretary of War.

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, June 26, 1863.

SIR: As representing the Government, you have a right to exercise discretion in accepting or rejecting substitutes.

Accept none unless satisfied that the transaction is in good faith, the substitute reliable, and of good character, and that the interests of the Government will not suffer by the inferiority (in physical capacity or in character) of the substitute to the principal, or by the withdrawal of men interested in the country from the military service.

You may require the principal to be present in person, and will refuse to deal with brokers or paid agents. Undomiciled foreigners are forbidden to be received as substitutes; nor can a declaration of intention to become naturalized qualify a foreigner to be a substitute. Such a declaration would make him, if of conscript age, liable to service in his own person. All doubtful cases reject, or refer to this Bureau.

These instructions are issued by direction of the War Department.

I am, sir, very respectfully, your obedient servant,

G. W. LAY,
Lieut. Col., Asst. Adjt. Gen., Acting Chief of Bureau.

(To Commandants of Conscripts and Camps of Instruction.)

GENERAL ORDERS, No. 92. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, June 29, 1863.

I. The acts of Congress passed on the 6th of April, 1863, and dates subsequent thereto, having provided the means of procuring army supplies, notice is hereby given to the people of the Confederate States and to receiving officers that from the date of this publication no more quartermaster's supplies will be received under the appeal made by the President and the plan of the Secretary of War annexed thereto. All such supplies collected or tendered prior to the time

above referred to will be paid for at established rates. Hereafter supplies will be obtained, as far as practicable, by purchase, and when necessary by impressment; and officers, when authorized to resort to impressment, will observe strictly the requirements of law and the general orders of the War Department and the regulations of this office founded thereon.

II. That any officer who shall be authorized by the act of Congress concerning impressments, or under the regulations of this department pursuant thereto, which have been or may hereafter be made, and who has given the notice required by the same, shall have full power and authority to enter upon any property in which he shall have good reason to suspect any of the articles of produce, goods, merchandise, or other things subject to impressment may be stored or concealed, in order to obtain or secure the same; and if he shall have reason to believe that they are stored or concealed in any dwelling house, store-house, or other building, to which he is refused access, he may apply to any judge, justice of the peace, or commissioner of a Confederate court for a warrant to enter upon the same upon oath of the facts, and describing the objects stored or concealed, and obtain a warrant to search for and secure the same, which warrant shall only be executed in the daytime and after a demand of the owner or occupant, if the owner or occupant shall then be inhabiting the building aforesaid.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 93. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, June 30, 1863.*

Paragraph I, General Orders, No. 49, current series, is so amended that the appraisement of deceased soldiers' clothing shall be made after it has been washed and put in condition by the quartermaster, and will approximate to the Government prices or rates at which it was originally issued.

By order:

S. COOPER,
Adjutant and Inspector General.

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Montgomery, Ala., June 30, 1863.

GENERAL: The Governor is in receipt of yours of the 20th, but has been so pressed by matters growing out of the recent call that he has been obliged to turn it over to this office. In relation to the guns he submits the matter to your sound discretion, expressing his satisfaction at learning that your division is so well supplied. I am inclined to think that it is the same in the other sections of the State, although perhaps not to the same extent. It is certain, however, that first and last more than 60,000 men have gone into service from Alabama, and I should think, upon a reasonable calculation, full one-half must have left guns at home. It is very certain that the State has not got many

of them, and those which it has obtained are, generally speaking, the meanest, scarcely worth the repairs which have been put upon them.

In relation to the success of the late requisition, the security of the country depends upon its being met, and if it is not we may expect to be desolated by raids. We must necessarily depend upon our home population to repel them, as we cannot draw upon our main armies to do it. Our forces in Tennessee and Mississippi are opposed by those of the enemy greatly superior in numerical strength as well as equipments and munitions of war. Bragg and Johnston each need at least 20,000 men, and Lee to do his work is obliged to uncover Richmond. It would deplete each of these armies if we were to take from them men enough to give security against the predatory and plundering incursions which will be attempted at every point within our lines where we can be weakened by the destruction of our resources of any kind. Our lines of communication will be interrupted, our workshops destroyed, and the most fertile section of our country desolated. I do not believe they will strike at the poorer sections. The object is to demoralize our slaves and destroy our means of subsistence.

There is with us a considerable and I think an increasing disposition manifested to meet the requisition by forming volunteer companies under the act of Congress of the 21st of August, 1861. This course is greatly to be preferred, and is in every respect more efficient to accomplish the purpose of the call as well as the least burdensome on the troops, as they would not be called out unless demanded by some particular and special exigency, and returned to their homes and their avocations as soon as the exigency had passed. In case of militia this course would be impracticable, at least to the same extent, as being generally infantry they could not be concentrated upon any given point with the requisite rapidity, nor could they if once discharged be reassembled without much difficulty. I know there is a strong prejudice entertained by many against entering the Confederate service, but am satisfied that under the assurances given by the Secretary of War, in his letter to the Governor making the requisition, that there is really just grounds for apprehension. I inclose extracts* from the letter referred to, which, although you are not authorized to make any public use of them, so as to risk their being published, you can use in any other way in which you think proper if it will tend to encourage volunteering.

As to substitutes, I expect a large portion of them will try their best to escape taking any part whatever in the defense of their country, but it will be passing strange that a man who is able to fight for his country should not in any emergency be required to do so because he had furnished a substitute in the Confederate Army. I have no doubt whatever as to their liability to draft. By putting in a substitute he simply discharges a debt he owes to the Confederacy under the conscription act, but does not affect the duty he owes as a militiaman. The first is regulated by Confederate and the last by State authority. While it is the power of Congress to raise armies from men who are subjected to militia duty, that body has no authority to say that those who do not belong to the Confederate Army shall not be subject to militia duty. Under the first conscription Quakers could obtain exemption by a payment of a sum of money into the Confederate Treasury. Would that exempt them from militia duty?

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*Not found.

The militia cannot under the existing law be called out for more than six months. The conscript goes for three years, and one or both can be placed in the service as the public safety requires. A discharge or exemption from the duties of the one of itself furnishes no ground of exemption from the other. As to you having a showing, there will be no difficulty as to that if the occasion offers.

Very respectfully, your obedient servant,

GEO. GOLDTHWAITE,
Adjutant and Inspector General, Alabama.

TO THE PEOPLE OF GEORGIA:

Since the date of my proclamation calling for 8,000 volunteers for home defense* I have received a letter from the Secretary of War, dated June 19, 1863, upon the subject of the proposed organizations and the material of which they are to be composed, embracing a class of our fellow-citizens not included in the original requisition. The Secretary says:

> It is expected that men between forty and forty-five shall enter the proposed organizations, but should such be hereafter called out by the President they will be liable to be transferred or discharged and conscribed. It is expected, as far as the men entering these organizations have guns or arms, they shall use them, but we hope to be able to make up the deficiencies in arms and accouterments and to supply ammunition when needed.

In obedience to the above requirement of the President, made through the Secretary of War, it is expected that each man in the State able to bear arms, including those between forty and forty-five years of age, will promptly unite with one of the volunteer organizations called for by my proclamation. Let no county fail to organize on the first Tuesday in July, and let each tender its full quota within the appointed time. The late raid of the enemy into East Tennessee, and the destruction of the railroad bridges, together with their depredations upon our own sea-coast, admonish us that we have no time to lose in preparation for our defense. Let no one, high or low, rich or poor, officer or private, who has physical ability to endure one week's service falter or make an excuse. The patriotic daughters of Georgia will mark with perpetual reproach, and regard in future with merited distrust, every man who hides himself behind any sort of exemption and has not the courage and manliness to take up arms when the enemy is in our midst to protect their houses against the flames, their little children against nakedness and hunger, and their persons against the insults and injuries of bands of ruffian robbers, who are destitute alike of honor, civility, and shame.

Given under my hand and the seal of the Executive Department this 30th day of June, 1863.

[SEAL.] JOSEPH E. BROWN.

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*See Series I, Vol. XXVIII, Part II, p. 154.

Consolidated abstract from returns of the Confederate Army on or about June 30, 1863.

[Compiled from such returns as are on file in the War Department.]

Command.	Present for duty.		Aggregate present.	Aggregate present and absent.	Date of return.
	Officers.	Men.			
Army of Northern Virginia *a* (Lee)	6,116	68,343	88,735	133,652	May 31, 1863
Department of Western Virginia (Jones)	375	6,047	7,105	11,520	May 31, 1863
Department of Richmond (Elzey)	470	6,760	8,525	10,176	June 20, 1863
Department of North Carolina (D. H. Hill)	1,308	18,325	22,822	30,757	June 30, 1863
Department of East Tennessee (Buckner)	1,085	15,182	18,752	27,598	May 31, 1863
Department of South Carolina, Georgia, and Florida (Beauregard).		19,400	22,006	27,666	June 23, 1863
Department No. 2, or Army of Tennessee (Bragg).	3,785	46,622	59,527	83,581	June 20, 1863
Department of Mississippi and East Louisiana *b* (Johnston).	2,657	28,569	36,315	54,747	June 25, 1863
Vicksburg forces *c* (Pemberton)				29,376	
Port Hudson forces (Gardner)	291	2,512	4,098	6,273	June 30, 1863
Department of the Gulf (Maury)	254	3,984	5,129	6,226	June 8, 1863
First Military District of Mississippi (Ruggles).	131	1,881	2,390	2,995	May 24, 1863
Fifth Military District of Mississippi (Chalmers).					No return.
Clinton, La. (Logan)	116	1,178	1,571	2,470	June 25, 1863
Trans-Mississippi Department *d* (E. K. Smith)	1,845	24,202	30,489	46,021	May 31, 1863
Total	18,433	243,005	307,464	473,058	

a Alexander's and Garnett's battalions of artillery, Ransom's division of infantry, and other troops in the Valley District, not reported.

b The Army in Mississippi under the immediate command of Johnston, and exclusive of troops at Vicksburg under Pemberton, at Port Hudson under Gardner, the First and Fifth Military Districts of Mississippi, commanded, respectively, by Ruggles and Chalmers, and Logan's command, near Clinton, La.

c No returns of an approximate date. The "aggregate present and absent" is taken from the paroles at date of surrender.

d Five regiments of cavalry in the District of Texas, New Mexico, and Arizona (Magruder), estimated at 3,500, and the District of West Louisiana (Taylor) are not reported.

OFFICE INSPECTOR-GENERAL FIELD TRANSPORTATION,
Richmond, July 2, 1863.

General A. C. MYERS,
Quartermaster-General:

GENERAL: The sources for the supply of horses and mules being well-nigh exhausted in the Confederate States, it has become a question of serious inquiry how the animals necessary for the future equipment of our armies in the field are to be obtained. By purchase, by impressments, and by a system of infirmaries, from which we have been enabled to return a large number of animals recruited for service, we have been able thus far to keep up the transportation and artillery. For the future I see nothing left us but to procure animals from the enemy's country. The present is the only favorable opportunity we have had, and unless we avail ourselves of the chance whilst General Lee is in Pennsylvania I see no hope for us. I therefore respectfully urge that a system be at once adopted for procuring the supply we need. We cannot expect the army now in Pennsylvania to do much more than supply themselves, as the commander and his officers have other matters of importance immediately in hand. We

should therefore endeavor to inaugurate a system for our own department, and I am confident that it can be done. In order to act promptly and securely I think it absolutely necessary that a military force accompany our officers charged with this duty. We cannot expect to draw upon the army in the advance for this force. I therefore propose that we be authorized to raise from the hospitals, by volunteering, a thousand men, to be mounted by our department, to act, under a judicious military commander, as escorts to our officers charged with the collection of this property, the command and the operations to be confined to the country in rear and in striking distance of our army and to be governed by any orders from General Lee.

Very respectfully, your obedient servant,

A. H. COLE,
Major and Inspector-General.

[Memorandum.]

JULY 3.

Over 6,000 convalescents were reported by Surgeon Carrington able to perform cavalry service.

A. C. M.

[Indorsement.]

JULY 4, 1863.

Respectfully submitted to the Secretary of War.

It is absolutely necessary that we should obtain some 8,000 or 10,000 animals to replace those killed and unfit for service from long work. Measures have been taken to get mules from Mexico and Texas. Some have been for months on the borders of the Mississippi River. We cannot depend upon a safe transit.

Officers of this department have been sent with funds in the wake of General Lee's army. Two thousand may be procured in Maryland by purchase. Ten companies of convalescents organized as a regiment and sent on this duty might succeed admirably. About 300 can be mounted at once at Staunton.

A. C. MYERS,
Quartermaster-General.

ATLANTA, GA., *July 2, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War, Confederate States of America:

SIR: We beg leave to call your attention to the following resolutions passed at an informal meeting of commissioners under "The act to regulate impressments" from the States of Tennessee, South Carolina, Georgia, Alabama, and Mississippi, held in this city on yesterday, the 1st day of July, to wit:

Resolved, That a committee of three be appointed by the chair to confer with the War Department in relation to instructions to the purchasing agents in the Commissary and Quartermaster's Departments, requiring them to conform in their purchases to the schedule of prices established by commissioners of the respective States of the Confederacy.

Resolved, further, That the committee address a letter of invitation to the commissioners of the several States to an adjourned convention to be held in city hall of Atlanta, Ga., on Monday, 27th day of July, instant.

The undersigned having been appointed a committee under the first resolution, have the honor to call your attention to the same, and to state in connection therewith that instances are within their knowledge where purchasing agents of the Government have disregarded the prices affixed by the commissioners in their schedule, and have

paid more for the articles purchased than the price therein established for the same. We deem it of the utmost importance that there should be, as nearly as possible, a uniformity of prices throughout the Confederacy and concert of action between all the agents of the Government. Without it dissatisfaction will be necessarily engendered, and a difficulty in procuring supplies for the Army be the inevitable result. The experience of the past but confirms this, for already considerable dissatisfaction exists in the country because of the difference in prices paid for the same article in different localities, and in many instances in the same locality; and, as a consequence, difficulties in procuring supplies have been augmented. To avoid this in the future we most respectfully suggest to Your Honor the propriety of instructing the agents of the Government in the different States to conform to the schedule of prices established by the commissioners. Such we believe to be the spirit and intent of the impressment act.

Permit us to state also that the object of the convention of commissioners from the different States of the Confederacy, to be held in this city on the 27th of July next, is to agree as far as practicable upon a uniform schedule of prices and concert of action, upon which occasion we should be glad to receive from the War Department any suggestions it may be pleased to communicate. The convention which has but to-day adjourned declined to take any definite action with regard to their future schedule because of the partial attendance of the commissioners from the different States, caused, doubtless, by the limited notice given of its meeting.

In conclusion we beg leave to subscribe ourselves, most respectfully, your obedient servants,

G. D. MOORE,
Commissioner from Mississippi.
A. H. MARTIN,
Commissioner from South Carolina.
U. B. WILKINSON,
Commissioner from Georgia.

RALEIGH, *July 2, 1863.*

President DAVIS,
Richmond, Va.:

By the returns from my militia regiments there will not be men in the State to raise the 7,000 required by you without resorting to the classes exempted from conscription as State officers, men with substitutes, &c., who would be entitled to discharge if made Confederate troops. The military committee have instructed me to ask if you will agree to the troops remaining under my control as State troops, which enables us to put in all these exempts. Please answer at once. The Legislature sits but a day or two longer.

Z. B. VANCE.

RICHMOND, VA., *July 2, 1863.*

Governor Z. B. VANCE,
Raleigh, N. C.:

This day received your dispatch. Will receive as many as will organize under the act for local defense, and for the residue will accept the militia or State troops.

JEFFERSON DAVIS.

GENERAL ORDERS, No. 94. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, July 4, 1863.*

Information having been received that soldiers absent from their commands without proper authority are employed by officers in charge of Government work, it is hereby directed that all such men be returned immediately to their respective companies. Officers who employ men not regularly detailed will, in every instance, be held answerable for the offense before a court-martial.

By order:

S. COOPER,
Adjutant and Inspector General.

CIRCULAR. CONSCRIPT OFFICE, *Richmond, July 7, 1863.*

The evil of desertion from the Army, with the determination to avoid, and even to resist, future service appears to be on the increase. The War Department looks to the agencies of conscription to arrest the growing evil, and has adopted the following regulations for increasing the force at the disposal of the commandant:

1. A sufficient number of conscripts can be retained from among those presenting themselves as owning horses for cavalry service to supply the necessity of patrols in each district, and be allowed while so employed cavalry pay and commutation of forage and rations. No additional officers will be needed, but on application to this office authority will be given to draw arms.

2. The commandant of conscripts is authorized to order payment to citizens while aiding in the service of a fair hire for their horses and actual expenses of travel and forage; also to hire horses in extreme cases to mount enrolling officers or conscripts.

3. That when Governors of States may consent, small bodies of militia may be taken into temporary service (under the direction and control of the commandant) and paid as infantry or cavalry, according to the duties required.

The commandant desires that you immediately proceed to organize such force as may be needed in your district, reporting the names and number of persons so employed. In the selection of persons so employed for this service he is to a great extent dependent upon the judgment and discretion of the district officers, and he entertains the hope that by the selection of suitable assistants and the exercise of the necessary vigilance and activity many men may be returned to service, and the evil of desertion effectually stopped.

Very respectfully,

J. H. BINFORD,
Lieutenant and Adjutant.

(To District Enrolling Officers.)

GENERAL ORDERS, No. 96. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, July 8, 1863.*

I. Soldiers not deemed subjects for discharge under paragraph IV, General Orders, No. 69, current series, because of their being fit for

service in the staff departments of the Army, will be recommended by the Board of Examiners to the general commanding the department or army for detail in the Medical Department as nurses, guards, &c., to relieve as far as practicable able-bodied soldiers fit for duty in the field; or if specially fit for duty in another staff department, they will be recommended for detail in such department.

II. Soldiers detailed under these provisions will, when fit for field duty, be relieved and sent to their commands.

III. Paragraph X, General Orders, No. 69, current series, having in some instances been evaded, is so far amended as to prohibit medical officers from extending leaves of absence to officers or furloughs to men. They can only certify to the disability and recommend such extensions.

IV. Commutation for rations to men upon furlough will not be paid until they rejoin their commands.

V. Rations will be issued to discharged men delayed at way hospitals.

By order:

S. COOPER,
Adjutant and Inspector General.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, July 9, 1863.

His Excellency JEFFERSON DAVIS,
Richmond, Va.:

DEAR SIR: I am fearful I shall not be able to furnish the 7,000 men called for. Upon receipt of the Secretary's letter I immediately issued my proclamation and ordered a general enrollment throughout the State. The returns so far are gratifying to our State pride, but sad to contemplate. The average of soldiers and detailed men is about equal to the voting population, and there are very few behind. On learning this I visited the Legislature in secret session and urged them to draft the magistrates and militia officers. They declined to do so and adopted the exemption bill of Congress, which I fear will prevent me from raising the whole number required. I will proceed rapidly, however, to get out as many as I can. I have already in Eastern Carolina some 800 men raised for local defense which I wish you to receive as part of the men he called for. There are also some five or six small companies along the Tennessee border, authorized by me to be raised before your requisition for defense of the citizens against the swarm of tories, refugees, and deserters who have congregated in the mountains and who carry pillage and murder in their path. It will be impossible to remove them without ruin to the loyal people. I would be glad if you would receive them and permit them to remain.

Very respectfully, your obedient servant,

Z. B. VANCE.

[First indorsement.]

SECRETARY OF WAR:

Let the order be given to receive the local-defense companies mentioned within, and give credit to North Carolina for the number.

J. D.

[Second indorsement.]

JULY 20, 1863.

To Adjutant-General for attention to and execution of the President's indorsement above.

J. A. S.,
Secretary.

MARIETTA, GA., *July 10, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

DEAR SIR: I have the honor to acknowledge the receipt of your letter of 26th of June last in reply to my letter claiming for the gallant Fifty-first Georgia Regiment the right to elect an officer to fill the vacancy of the late Colonel Slaughter, who was killed in battle and whose vacancy has been filled by the general in command by promotion, denying to the regiment the right of election. This action I consider in palpable violation of the plain constitutional rights of the regiment, and while I thank you for the courtesy of your reply, I must express both my surprise and mortification at your denial of the right of election to this regiment and others which entered the service as it did, and your announcement that the conduct of the general in refusing to permit the regiment to exercise this right, and assigning to it a commander by promotion without regard to the wishes of the troops, "is approved by the Department." You predicate this decision upon the act of Congress known as the conscription act and a subsequent act which provides that "all vacancies shall be filled by the President." I predicate my objection to the decision upon the Constitution of the Confederate States, which is of higher authority than any act of Congress, and hold that the acts referred to by you, so far as they deny to the State of Georgia the right to fill this and all similar vacancies, are in conflict with the Constitution, and therefore void and of no binding force. The sixteenth paragraph of the eighth section of the first article of the Constitution of the Confederate States declares that Congress shall have power "to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress." By this paragraph of the Constitution the State of Georgia in plain language reserved to herself the appointment of the officers to command any part of her militia when employed in the service of the Confederate States; and by her own constitution and laws she has provided that such appointment shall be made by election of those to be commanded by these officers and commission from the Governor, and that vacancies shall be filled in the same manner. By "the militia" I understand the Constitution to mean the whole arms-bearing population of the State who are not enlisted in the regular armies of the Confederacy.

I am aware that writers upon English law define the militia to be an organized body of troops, &c. That the framers of the Constitution did not intend to use the term in this sense is evident from the fact that they speak of the militia as in existence at the time they are making the Constitution, and give Congress the power not to make a new militia nor to organize that already in existence, but to provide

for organizing the militia; in other words, to provide for forming into military organizations the arms-bearing people of the respective States. Had the Constitution given Congress the power to organize the militia without other qualifying words, it would have had the power to appoint the officers to command them, or to authorize the President to appoint them, as they cannot be organized without officers. The language is, however, very guarded. Power is given to Congress to provide for organizing that which was then in existence without effective organization—the militia or arms-bearing people of the States. When Congress has provided for the organization and the States have organized the militia, Congress may authorize the President to employ them, or part of them, in the service of the Confederate States; but in that case the States expressly reserve to themselves the right to appoint the officers to command them, and Congress cannot, without usurpation, exercise that power itself or confer it upon the President. But suppose I adopt the definition of the term "militia" insisted upon by those who differ from me; the result is the same. In our correspondence upon the constitutionality of the conscript act the President says: "The term 'militia' is a collective term, meaning a body of men organized."

In February, 1862, the President made requisition upon me under the act of Congress of 23d January, 1862, for twelve regiments of troops, to be employed in the service of the Confederate States. I proceeded under the laws in existence at the time to organize the regiments called for. The Fifty-first Regiment was tendered as one of the twelve, and with the other eleven, and several additional regiments which offered their services as volunteers, was accepted by the President as organized and officered by the State. This regiment when tendered was therefore an organized body of men taken indiscriminately from the arms-bearing people of the State, who tendered their services, and were accepted by the President as a body of men organized by the State, or as militia, according to his own definition. The right of the State to appoint the officers, which she does upon the election of those to be commanded, was distinctly recognized in the organization of the regiment. If the State possessed this right, then how has she lost it since? If it is her right to appoint the officers when the regiment is organized, how does she lose the right when a vacancy is to be filled? But the case does not rest here undoubted as were the State's rights under the Constitution. Before this regiment and the others called for at the same time were formed I wrote Mr. Benjamin, then Secretary of War, upon this question, that the reserved rights of the State and of her troops might be distinctly recognized to avoid any misunderstanding in future. In his reply of 16th of February, 1862, after the requisition had been made, and before the regiments were organized, Mr. Benjamin said: "I will add that the officers from the regiments called for from the State under the recent act of Congress are, in my opinion, to be commissioned by the Governor of Georgia, as they are State troops tendered to the Confederate Government." This opinion of the Secretary of War was communicated to the troops, and they were assured by me that they had the right to elect all the field and company officers by whom they were to be commanded while employed in the service of the Confederate States. With this assurance from the Secretary of War and the Governor of their State they volunteered and entered the Confederate service with the officers elected by them. Aside from this constitutional right, here was a fair contract between them and the

Government, under which they entered its service and have nobly performed their part, and I deny that Congress possessed the power by any subsequent act to wrest from them this constitutional right, or that the Government, without a most unjustifiable breach of its plighted faith, can now deny to them the exercise of this right.

I beg to be excused for the use of strong language, which may appear to show too much zeal on my part in this cause. By the act of the Secretary of War I was made a party to this contract with the troops, and my action under it was ratified by the President when he accepted the troops organized under it, with officers elected by them, and I feel in honor bound to exert all the energy and power I possess to prevent the injustice which is being done to these gallant, self-sacrificing men. If the right is still denied it will be my duty to communicate the facts to the General Assembly of this State when again convened, and to ask them to take such action in the premises as will secure justice to their injured fellow-citizens and constituents and protect their plain constitutional rights.

You say you regret that "the expression of my views should have been given such direction as may probably excite some dissatisfaction among the officers of that gallant regiment." Much as I may regret to excite the dissatisfaction of the officers who may be unwilling to submit their claims to preferment to a fair vote to those whom they aspire to command, I cannot be silent when the rights of the regiment in the selection of its officers are no longer respected. But I cannot suppose that the dissatisfaction of any meritorious officer who treats his men humanely and has shown himself worthy to lead them in battle will be excited, as such an officer has no reason to fear the decision of the gallant troops with whom he has been long associated, and who are well acquainted with his character and his capacity to command them and protect their lives in battle. It can only be those officers whose chief claim to preferment rests upon their rank and the date of commissions, acquired by them when less known to the troops, whose dissatisfaction can be excited when the troops are informed that the Executive of their State claims that they shall be permitted to exercise what they believe to be their constitutional right of election, and what they and their officers know was guaranteed to them when they entered the service. You say, further, that "the act of the general in announcing the promotion is in accordance with the laws of Congress, with the regulations and uniform usage of the service." I trust I have shown that the act of Congress, so far as it confers the right of appointment in this case upon the President, is a nullity, on account of its conflict with the Constitution, and it follows as a necessary consequence that any regulation of your Department carrying into execution that which is void is also unauthoritative. In reference to the uniform usage of the service, I can only remark that you labor under a very great mistake. I think it safe to say that a majority of the whole number of vacancies which have occurred in regiments in Confederate service from this State, which entered the service as did the Fifty-first, under requisition from the President, have been filled by election and commission from the State. There has been, therefore, no uniform usage in favor of your construction, but rather the contrary. I am informed that soon after the passage of the conscription act this question was raised in Colonel Benning's regiment, General Toombs' brigade, and was carried up regularly to the War Department for decision, and was decided in favor of the right of the State to appoint the officers to fill these vacancies, and against the right of the President to fill them by

promotion. I am also informed that a case involving this very principle has been submitted to the Attorney-General for his opinion, and that his opinion sustains this right of appointment by the States in regiments tendered and accepted under the requisition of the President upon the States for troops under the act of Congress aforesaid. If I am mistaken in either of these points I will thank you to inform me of the error, and what has been the decision of your predecessors and of the Attorney-General in cases similar to that now under discussion. Certain it is, within my own knowledge, that since the report of the decisions above referred to most of the Georgia regiments organized as this was have exercised the right of election, and I have commissioned the persons selected, and they now have command under their State commissions and are recognized by their superior officers as entitled to the rank and command.

In conclusion, I must express my profound regret that you have felt it your duty to make a decision in this case which in my opinion denies to the State the exercise of a right expressly reserved by her in the Constitution, and which does great injustice to the troops, not only because it deprives them of a legal right which they consider of great importance to them, but because it violates the express guaranty of this right under which they entered the service. Amidst the weight of cares and responsibilities by which you are surrounded I am induced to hope that your decision was predicated upon the act of Congress without having given that mature reflection to the constitutional question involved in the case which its importance demands, and that you were not aware of the understanding between me and the Secretary of War which I have mentioned above, and upon which the troops acted when they entered the service. I therefore most respectfully ask a reconsideration of this case, and trust I may soon have the pleasure to inform the gallant Fifty-first Regiment, and all others organized as it was, that their right of election, which I consider so clear and they regard so valuable, is recognized and respected by the Confederate Government.

I am, with great respect, your obedient servant,

JOSEPH E. BROWN.

[First indorsement.]

JULY 21, 1863.

To Assistant Secretary for consideration and conference.

J. A. S.,
Secretary.

[Second indorsement.]

ADJUTANT-GENERAL:

Please send me the muster-rolls of the Fifty-first Georgia Regiment.

J. A. C.,
Assistant Secretary of War.

24A AUSTIN FRIARS, LONDON,
July 10, 1863.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

SIR: I beg to hand you inclosed duplicate of my respects 3d instant, and remain without any of your favors. After very mature deliberation and consultation with some of my friends here I concluded that, honestly entertaining as I do the opinion that the object

of the contract Major Huse was about to enter into in France was to embarrass our Government, and that I would fail to do my duty if I omitted to do all that I could to prevent such embarrassment, I addressed a letter to the Hon. J. M. Mason on the subject, a copy of which I beg to inclose herein. Receiving to this a verbal reply that he would inform Mr. Slidell of my views, I sought a personal interview with him, which he readily granted, and in it I sought by additional facts and arguments to convince him that it was not only his province to tell Mr. Slidell of my views, but that if he was unwilling to protest against this contract of Major Huse being entered into at this moment, I had at least the right to expect him (inasmuch as I had consented to hold on and not cancel the contract already existing between myself, Collie & Co., and the Government until we had time to hear from you at his earnest request) to urge upon Mr. Slidell and General McRae a delay in its execution until your reply was received; and especially did I urge this, as I had, after writing a letter to him, heard that one of the conditions of this contract required our Government to place in the hands of the contractors orders to the extent of $5,000,000 within fifteen days after the signing of the papers. If I should have doubts before, this clause would have convinced me of the anxiety to hasten the matter to a conclusion before your orders could be received, because if this clause was acted on it entirely superseded my contract and forced the Government to carry it on and receive the goods even if, as I hope will be the case, the letters carried out by Mr. Bosher will induce you to withdraw all authority from Major Huse. I flatter myself that I convinced Mr. Mason that he ought to take some action in the matter, though he did not say exactly what he would write, and Colonel Lamar, commissioner to Russia, who was also present during the whole interview, volunteered to say on my leaving that he should also write to Mr. Slidell that he thought it was due to me that action on this contract of Major Huse should be delayed until advices were received from you.

I have in this matter taken upon myself some responsibility, but it has only been done with entire confidence. It is true I do not occupy in it as high grounds as I would have preferred, and my first idea was before taking such action to divest myself of all interest with the Government, but my friends have urged that as an individual my protest would have no weight, and that it being my duty to defeat its execution, if possible, I should use my contract to do so. I cannot of course know now what action Mr. Slidell will take, but I cannot but believe that he will hesitate before pressing it to an immediate conclusion, especially as Major Ferguson has, in my opinion, very properly refused to act under it. If so, all will depend upon your replies to my letter and that of Mr. Mason, dated 3d and 5th of May, and the promptness with which they are sent out. I have a letter from Mr. Bosher, at Bermuda, informing me that he would sail that day (11th of June) for Wilmington, and if not captured would deliver your letters of 16th or 17th of June. He knew how important it was that replies should be sent out at once, and therefore they should arrive at Nassau in time to leave there by the mail 6th of July, and Bermuda 11th of July. The former mail is due here 27th of July and the latter 4th of August. I cannot expect to keep the matter open longer. If by those mails satisfactory letters are received, and the control is taken out of Major Huse's hands and placed in the hands of some one who will look singly to the interests of our Government, there will be no difficulty in sending forward as rapidly as need be all of the supplies that

are wanted under the contract with Collie and myself at a commission of 2½ per cent., as I am assured that there remains of the loan subject to Treasury drafts about £1,400,000 sterling, or $7,000,000, with which if properly managed we can meet all of our wants until cotton comes out in abundance. If on the contrary no letters are received from you by either of these mails, or they continue to retain the control in Major Huse's hands, this contract will be carried out to the loss of many millions of dollars to our people and Government. In this latter event my contract will not be needed, and I shall immediately close it up and dispose of the three steamers now building and return home. Indeed, before my interview with Mr. Mason I had prepared a letter to him insisting upon closing the contract with Collie and myself, which I intended to deliver if he adhered to his determination of not taking any action in the matter. This letter, however, was of course not delivered. I have nothing to add except that from this statement you will be able (knowing what your advices are) to form an idea as to the action that I will take within the next four weeks.

In the meantime having entire confidence that some provision will be made out of the loan to meet the wants of the Quartermaster's Department, I have suggested to Major Ferguson the propriety of his placing a portion of his orders in the manufacturers' hands to be paid for on delivery, and that if no Treasury drafts are received that I will furnish him all the aid that I can to pay for and send them forward.

I remain, yours, very respectfully,

WM. G. CRENSHAW.

[Inclosure No. 1.]

JULY 3, 1863.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

SIR: I had this pleasure 22d of June (duplicate of which is inclosed*) and continue without any of your favors. In this I am quite disappointed, as I learn from letters received a few days ago that my advices to the 18th of April, including duplicates of those by M. L. Hobson of 30th of March, had been received. As already advised, being without funds and Mr. Mason being unable and Major Huse unwilling to assist me, I could see no hope of being able to furnish cargoes for the Diana, and therefore arranged with Mr. Collie to take her for his private venture account and to let me have the one that is to succeed her, he having contracted for it. He therefore loads the Diana and she leaves next week. I regret it exceedingly, but embarrassed as I am I could do nothing more. The one that I am to receive in her place will soon be launched, and I can but continue to hope that full advices will soon be received from you in time for her, though if reports be true Major Huse is about concluding a contract for the delivery of supplies to be paid for in cotton, which will supersede the contract with Messrs. Collie & Co. and myself. Not being in the confidence of Major Huse, I do not know the terms of the proposed contract, but if it be to allow 20 per cent. profit in the goods and 10 per cent. on the cotton, as I hear it is, I look upon it simply as a swindle that ought not to be put upon our Government. I have done my duty as I understand it by telling the Hon. Mr. Mason what I have heard and expressing to him my opinion of it, but having no evidence as to the facts he

* Omitted, it being an illegible press copy.

says he can do nothing. He also says that all of the money arising from the Erlanger loan has been appropriated, and that as the quartermaster's supplies ordered through Major Ferguson are much needed they must be had even upon these terms if better cannot be done. It is exactly this that I complain of, that since this contract has for its basis exactly the same that you proposed, and for a small advance too much compensation is to be made, whereas if there had been a disposition to carry out your wishes on the part of Major Huse these goods might now be in the course of shipment, but unfortunately, in my opinion, for our Government this contract of mine is now not to the interest of Huse to carry out.

I am, however, unnecessarily taking up your time, as before this reaches you action of some sort will have been taken by you. The fear I have is that if you desire me, in reply to my letter of 3d May, to go on with my arrangements as there requested, and will send me Treasury drafts with which to work, that there will be no money in the Treasury. I wait patiently, however, the receipt of your advices, and in the meantime will go on sending off the balance of the provisions from Liverpool, as the draft of Colonel Gorgas is to be paid to-day, I understand.

Permit me in conclusion to call your attention to the inclosed correspondence with General McRae. To my last letter I have no reply, but Mr. Schroeder informed me yesterday that Erlanger had directed him to pay the draft upon Major Huse's authority, and that he received the authority last evening and would pay the draft. Comment on such action of an officer of our Government is unnecessary, and I omit any.

I remain, your most obedient,

WM. G. CRENSHAW.

JULY 4, 1863.

P. S.—I understand that the charges being made at the islands (both Nassau and Bermuda) are excessive and out of all character, and if I knew what your wishes were as to the carrying out of my contract I would send out and try to remedy it, but in my present uncertain position I can and shall do nothing until I have advices from you. If I am to go on, I will immediately go to work and try to arrange the business to be carried on at the islands, as well as in this country, on a more economical basis.

W. G. C.

[Sub-inclosure No. 1.]

22A AUSTIN FRIARS, LONDON, *June 13, 1863.*

General MCRAE:

SIR: As Mr. Mason informs me that some provision has been made for the prompt payment of a draft held by Messrs. Alex. Collie & Co. on Major Huse, and drawn by Colonel Gorgas, ordnance officer of our Government, for £22,500 sterling, and as it is very important that no time should be lost in sending forward the provisions bought for our Government, and which cannot go forward until this draft is paid, I take the liberty of inquiring when Messrs. Alex. Collie & Co. may expect payment of it.

Yours, most obediently,

WM. G. CRENSHAW.

[Sub-inclosure No. 2.]

PARIS, *June 24, 1863.*

Capt. WILLIAM G. CRENSHAW,
22A Austin Friars, London:

SIR: Your letter of the 13th was duly received. Not until yesterday was I able to make arrangements for taking up the draft of £22,500 referred to in your letter. I have now paid that sum to Maj. Caleb Huse for the purpose of taking up the draft of Colonel Gorgas on him.

Regretting the delay that has occurred in this matter,

I am, very respectfully, your obedient servant,

C. J. McRAE,
Agent for the Loan.

P. S.—I think it proper to inform you that it will not be in my power to make you any further payments from the proceeds of the loan except on warrants regularly issued from the Treasury Department.

C. J. McR.

[Sub-inclosure No. 3.]

JUNE 29, 1863.

General C. J. McRAE,
Agent for Confederate Government Loan:
(Care Hon. John Slidell, Paris.)

SIR: Your favor of the 24th instant came duly to hand, informing me that you had paid to Maj. Caleb Huse £22,500 with which to pay Colonel Gorgas' draft on him for that amount. Several days after it was to hand I received a letter from Major Huse to Mr. C. H. Bosher requesting him to call on Messrs. J. H. Schroeder & Co. for payment of the draft. This letter I handed to Messrs. A. Collie & Co., who sent it to their bankers with a request that they would collect the draft. Messrs. Cunliffes & Co. report that on presenting the draft they were informed by Messrs. Schroeder & Co. that they will be prepared on the 2d of July to pay to C. H. Bosher £22,500 on Mr. Bosher's signing receipt in triplicate for the amount, by order of Major Huse. Now, it is very well known to Major Huse that Mr. Bosher has returned to the Confederate States, and that before doing so he purchased for our Government provisions to the value of over £40,000 in the name of Messrs. Alex. Collie & Co., and that he left this draft with them to be used in part payment of said purchases. All this Major Huse knew very well when he wrote to Schroeder & Co. to require Mr. Bosher's receipt in triplicate, and it is only additional evidence that he will resort to any trick he can to prevent the carrying out of the orders of the Hon. J. A. Seddon, Secretary of War. I hope it will be your pleasure to take such further action as is necessary to have this draft paid without further delay. I take due note of your postscript informing me that it will not be in your power to make me any further payments from the proceeds of the loan except on warrants regularly issued from the Treasury Department, and in reply I beg to assure you that I have entire confidence that I will be very soon either in possession of such drafts or relieved of my connection with the Government, as I wrote to the Honorable Secretary of War on 6th of May that I would not longer hold position in connection with Huse, because I did not believe that he had the interest of our Government at heart.

I remain, your most obedient,

WM. G. CRENSHAW.

[Sub-inclosure No. 4.]

BAD REPPALDSAW, GRAND DUCHÉ D'BACH,
July 2, 1863.

Capt. WILLIAM G. CRENSHAW,
No. 22A Austin Friars, London:

DEAR SIR: I am just in receipt of your letter of the 29th ultimo informing me of the conditions on which Major Huse ordered the draft of Colonel Gorgas for £22,500 paid. I regret that the major should have embarrassed the matter in this way, and have written him a letter which, I hope, will induce him to cause the draft to be paid without further delay. I will return to Paris early next week, and if the draft has not been paid will endeavor to have it paid at once.

With much respect, your obedient servant,

C. J. McRAE.

[Inclosure No. 2.]

22A AUSTIN FRIARS, LONDON,
July 4, 1863.

Hon. JAMES M. MASON:

SIR: Having heard that Maj. Caleb Huse is about to conclude a contract for furnishing our Government with various supplies to a very large amount, and believing, from what I can hear of the proposed contract, that if it is carried out it would result in enormous loss to our Government, but yet if rejected by it, as I believe it would be, upon the ground that Major Huse had no authority to make it, may embarrass our Government and give rise to reports that it had repudiated the action of an officer whom heretofore it had indorsed, and to this extent injure the credit of our Government, I hasten to call your attention to it and protest against Major Huse entering into such contract, because it is in direct conflict with the contract made and signed in March last by Messrs. Alexander Collie & Co. and myself with you as the representative of the Hon. James A. Seddon, Secretary of War, in accordance with his letter to you. And in thus offering my protest I beg leave to add some of the reasons why such a contract should not be entered into, in my opinion, and especially why it should not be entered into at this moment, viz:

First. Major Huse is now, as I understand, under charges for malfeasance in office.

Second. Maj. C. Huse is aware of the contract existing between Messrs. Alexander Collie & Co. and myself and the Secretary of War for furnishing Government supplies, and has orders to confer with and aid me in carrying out said contract.

Third. Maj. C. Huse, instead of carrying out his orders, has, after trying to prevail on me to cancel the contract, thrown every obstacle he could in the way to prevent me from carrying it out, as is evidenced by his letters, which I had the honor to submit to you; by his action with regard to Colonel Gorgas' draft in favor of C. H. Bosher, with which you are furnished, and especially in trying to substitute the contract against which I now protest in place of it.

Fourth. I confidently advance the opinion that it is not to the interest of our Government to make such a contract as is now proposed, because it pays to the contractors 20 per cent. profit on the goods and 10 per cent. on the cotton upon the same basis of our contract—that

is, exchange cotton for goods—while the contract with us stipulates only to be paid on each a commission of 2½ per cent. for the same service, except that I understand the contractors propose to make some advance until cotton comes out. This has been done already to some extent by Messrs. Alexander Collie & Co., and would have been to a much greater but for the action of Major Huse toward us. As I shall presently show, such an advance is not necessary; if it is, it could be had on much more advantageous terms than Major Huse now proposes.

Fifth. The pressing wants of the moment which are not provided for are the orders for the Quartermaster's Department placed in the hands of Maj. J. B. Ferguson, jr., and it is to meet these wants that Major Huse insists upon entering at once into this contract, involving the expenditure of many million pounds sterling, at a loss of 30 per cent. on the whole amount. Now, I insist that it is very absurd to suppose that the Honorable Secretary of War is going to dispose of all the funds arising from the Erlanger loan without making any provision for these supplies, although most of them were ordered six months ago. On the contrary, I have entire confidence that special drafts on the loan will be sent forward and will be here long before the goods are ready for shipment. In the meantime Major Ferguson could go on placing his orders in course of execution at once, and there would be no more delay in obtaining these supplies than if Major Huse was to make this contract.

Sixth. According to Major Huse's own statement to me he has been obtaining heretofore very large supplies on credit from Messrs. Isaac, Campbell & Co., on which he assured me they only charged cost and 2½ per cent. commission. Then why pay now 30 per cent.? Is the credit of our Government not quite as good as heretofore? On the contrary, does it not stand higher than it ever did before?

Seventh. Major Huse informed me, about the 25th of April last, that he had just written him fully as to the condition of Government business here and the conflict of orders, and the necessity of definite orders from the Department. I informed him that I would in a few days pursue the same course and give the Department my views fully on the subject. This I did on the 3d of May, and these letters being of such a character as to insure immediate replies, we may reasonably expect such definite advices within two or three weeks as will leave all the Government agents here without any doubt as to the wishes of the Department. It therefore, in my opinion, betrays, to say the least of it, indecent haste in Major Huse to insist upon closing this large contract on the eve of advices from home, which, in my opinion, will take from him even the show of authority which he now professes to have, but which I deny that he does possess, because it would be in direct violation of the orders from the Honorable Secretary of War.

I therefore beg to repeat distinctly and positively my protest against Major Huse's execution of this contract until sufficient time has elapsed to receive replies to the letters he informed me he had written to the letter I wrote, and the letter you wrote the 3d of May to the Honorable Secretary of War on the subject of my contract; and while this protest is made personally to you, because it was to you that I came to this country accredited, yet I shall deliver a copy of it also to Colonel Lamar, one of our commissioners, and another to Major Huse, and will be pleased if you will acquaint Hon. Mr. Slidell and General McRae of its contents.

Having thus laid before you the facts as I believe them to exist, I now respectfully submit the whole matter to you for such disposition as you may deem most conducive to the interests of our Confederacy.

I remain, very respectfully, your most obedient,

WM. G. CRENSHAW.

[Inclosure No. 3.]

JUNE 11, 1863.

W. G. CRENSHAW, Esq.:

DEAR SIR: When in conjunction with yourself I undertook the very onerous duty of purchasing and fitting out various steamers for your Government, in which we were to be partially interested, I did so with the hope that I might be of some real benefit to the Government, in the expectation of receiving from the officers of the Government here all the aid and assistance it was in their power to give. Circumstances have occurred recently, however, which render it impossible I can any longer continue the business which has been inaugurated between us on behalf of the Government, and I shall now state briefly the causes which have led me to this determination. When Mr. Bosher arrived here he had an interview in my office with Major Huse, at which you and I were both present. Mr. Bosher at that interview showed Major Huse a draft on him at sight, drawn by Colonel Gorgas, for £22,500 sterling, specially for the purchase of provisions. Major Huse said this draft was made against Commissary to Isaac, Campbell & Co., from Bermuda, and that in a few days he would arrange that the draft should be paid. As the wants of the Confederates of food for the Army were at that time very pressing, Mr. Bosher proceeded immediately to Liverpool to learn the price and quantity of bacon, &c., to be found in that market, and while there Major Huse wrote to him that Colonel Gorgas' draft for £22,500 would be paid on presentation to Isaac, Campbell & Co. On this faith I authorized Mr. Bosher to purchase food to the value of £40,000, which was done on my credit. Soon after this I heard it stated that Major Huse did not approve of the arrangement Mr. Seddon had made with you, and that he would oppose in every way the fulfillment of it, but I did not believe that, as an honorable man and an officer of the Confederate Government, he would refuse to pay Colonel Gorgas' draft after having stated twice that he would pay it. To prevent any unpleasantness I wrote to him several days before passing the draft through our bankers, and received no reply. I concluded that the matter was all in order. On our bankers' clerk presenting the draft he states that he was treated by Mr. Isaac, of Isaac, Campbell & Co., as if he had been a pickpocket, and to the application of our bankers to Major Huse direct, that officer informed them that my conduct in putting forward the draft at all was very unwarrantable. I beg to state to you in the strongest manner, and have to request that you will send this statement to your Government, that such conduct on the part of Major Huse is not only unbusinesslike, but discreditable and disgraceful in the highest degree; that it is not only a violation of good faith, which is disgraceful to him as an individual, but that it is also discreditable to those who continue to be connected with him. Therefore, as I find it impossible to put any confidence in Major Huse, and as he has been appointed to the chief command here of the Ordnance and Quartermaster's Departments, I must ask you to relieve me of any further co-operation with you on behalf of the Government, and to arrange as speedily as possible the

terms on which the business already put forward can be adjusted. Had Major Huse asked time, or stated that he was not able at present to meet the draft, I would most willingly have met his wishes in this respect; but having recently learned that he has purchased from Isaac, Campbell & Co. 50,000 rifles at 15 per cent. to 20 per cent. each above the market price, and that he is to pay cash for them (Mr. Spence is my informant), I can come to no other conclusion than that Major Huse has other reasons than want of money for refusing to pay Colonel Gorgas' draft and to conducting his business as an honorable man would do. I regret very much being obliged thus to terminate the very pleasant relations which have existed between us, especially as I believe that had they gone on much real good would have resulted; and I must add that you are the only man I have met with from the other side who seems to be capable of properly carrying on such a business; but I am sure you will agree with me in believing and in acting on the belief that no business can be satisfactory when the party who has chief control sets at defiance the ordinary rules of honorable business.

I am, dear sir, yours, very truly,

ALEX'R COLLIE.

[JULY 10, 1863.—For Seddon to Whiting, in relation to organizing men of Wilmington, N. C., for local defense, &c., see Series I, Vol. XXVII, Part III, p. 993.]

RICHMOND, VA., *July 11, 1863.*

Governor VANCE,
Raleigh, N. C.:

Your letter received and shall have attention. Referring to reports from the eastern part of the State, have to request that if practicable you bring into service as many of the local defense or of the militia troops as have been organized.

JEFFERSON DAVIS.

SPECIAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 165. } *Richmond, Va., July 13, 1863.*

* * * * * * *

XXV. All soldiers detached from the Army and detailed in Richmond will be temporarily connected with companies organized by the several departments and bureaus in the city, and be subject to all military duty.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, July 14, 1863.

G. D. MOORE, Esq., and Others,
Commissioners, Atlanta, Ga.:

GENTLEMEN: Your letter of the 2d instant has been received. The Department is pleased to hear of the efforts being made to secure a

conference among the commissioners from the respective States relative to the delicate and important duties with which they are charged. Such consultation cannot fail to prove beneficial by securing greater uniformity and general concert as to prices. If the price could in justice be made uniform, it would, of course, on the score of convenience and facility of application be preferable, and besides, by general semblance of equality, preclude many existing complaints. Still, the difference in the costs of production and transportation in different parts of the Confederacy are so great that such perfect uniformity would seem impracticable. As near approximation to it as equity will allow and the extension of the same rates over wide districts are deemed advisable. Wherever it is possible striking disparities in prices between contiguous districts, especially in different States, should be avoided as the causes both of dissatisfaction and evasion of the law. These suggestions are made with deference, as the knowledge and experience of the commissioners specially directed to the subject will enable them to judge, perhaps, more correctly than the Department. Instructions to secure observance of the rates fixed will be given as desired.

Your obedient servant,

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, July 14, 1863.

Governor J. G. SHORTER,
Montgomery, Ala.:

The disasters of Vicksburg and Port Hudson render necessary the use of all possible means to protect your State. Can you not adopt measures to induce the array of all your arms-bearing population for defense?

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, July 14, 1863.

Governor J. E. BROWN,
Milledgeville, Ga.:

The disasters at Vicksburg and Port Hudson render necessary the use of all possible means to protect your State. Can you not adopt measures to induce the array of all your arms-bearing population for the defense of the northern portion of Georgia?

JAMES A. SEDDON.

RICHMOND, VA., *July 14, 1863.*

His Excellency Z. B. VANCE,
Raleigh, N. C.:

GOVERNOR: I regret that an accident has so long prevented an answer to your letter of March 31 in reference to the enrollment of certain State and corporation officers in North Carolina; but I trust that no serious embarrassment has resulted to you from my delay in replying, as the attention of the chief of the Bureau of Conscription was promptly called to the matters discussed in your letter, and the

commandant of conscripts for the State was ordered to defer to you in every case where it could be done without positive infraction of law. In enforcing the enrollment of conscripts it has been my desire to comply as far as possible with the wishes and views of the Governors of the several States in all cases where there seems to be any fair doubt as to the intention of Congress as expressed in the several acts relating to this subject; but where the law-making power has plainly declared its will the Executive has no discretion, and must simply enforce the law. In cases of individual hardship, the President is authorized to interfere with an order of special exemption; but with regard to classes of citizens the case is different. The Congress has explicitly designated those classes whose continued occupation with their ordinary pursuits seemed necessary to the well-being of society, and has at the same time declared that the danger to the country from its armed enemies is so great as to demand the presence of all other citizens within certain ages in the field. If, after trial, their legislation appears to have been without proper regard to the true interests of the community, in forcing into the Army classes of people whom a wiser policy would have retained at home, they will probably remedy the evil at future sessions. Meanwhile I am not justified in interfering with a full execution of their enactments. Such a course would not only be an evasion of a fair trial of the wisdom of the laws, but would imperil the successful issue of the war by withholding from the Army men who have been by the competent authorities declared subject to military duty. The Government has asserted no claim to conscribe the militia officers of the States in actual commission, and the commandants of conscripts have been so instructed. I have also fully recognized the exemption of all State executive and judicial officers not made liable to ordinary militia duty by the laws of the States themselves. In the particular case of constables and justices of the peace in North Carolina, about whose liability to service there were conflicting opinions, the enrolling officers were directed to suspend action until conference could be held with you and the laws of the State could be examined. I have not considered it within my power under existing laws to extend a general exemption to the police of the corporate towns, but in some instances organizations in the character of home guards have been allowed to remain free from conscription temporarily, on condition of rendering local military service when called on by the commanding general. It was supposed that many of the policemen would become attached to these companies and thus be enabled to attend to their ordinary duties during most of the time. As some months have now elapsed since your letter was written, and as the officers of this Government have always been instructed to confer fully with you, and to insist upon a rigid construction of the laws only where it appeared necessary, it is hoped that all difficulties have been satisfactorily adjusted.

Very respectfully and truly, yours,

JEFFERSON DAVIS.

NASSAU, NEW PROVIDENCE, *July 14, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War, Richmond:

SIR: I have the honor to acknowledge the receipt through Mr. L. G. Watson of your communication of the 20th ultimo, informing me that this gentleman has been selected as the agent of Crenshaw & Co. in

the execution of an important contract with the War Department, a copy of which has been exhibited to me, laying down also certain rules for my guidance in the prosecution of the contemplated enterprise, and commending Mr. Watson to such good offices as I may be able to render in carrying into effect the objects of his agency. Permit me to assure you that nothing shall be wanting on my part toward contributing to the success of this undertaking.

Mr. Watson has just left me after a long and frank interview, in which I have fully explained all the salient points to be considered in conducting the business on a safe and prudent basis; that is, more especially with reference to the loading and running of the boats, points on which I feel entirely competent to offer an opinion. It will, furthermore, be my pleasure to render Mr. Watson every aid and facility in my power. The Venus is the only boat of the line that has yet come out, and she is now momentarily expected from Wilmington. On her arrival I shall select from the Government stores on hand a sufficiency to make up a fair portion of her cargo. During the last sixty days I have been shipping freight by nearly every steamer, paying a contingent rate of £30 per ton, or its equivalent, on delivery. Pending the period of extravagant transportation—that is, from £45 to £60 per ton, payable in advance—I refused to ship a package, feeling persuaded that this course would meet your approval.

About the middle of May I received a requisition from General Beauregard for 300 tons of armor plates, and of so pressing a character that I compelled every steamer to take some. In this way I have got rid of about 350 plates, averaging 1,432 pounds each—say about 225 tons—leaving only 75 tons to make up the requirement. I advised the Navy Department of this arrangement, the iron, as I was informed, being under the control of that Department, and having received no intimation to the contrary, I presume that my course was approved. Whether I should feel justified in continuing these shipments, in the face of the contract made by you, is open to some doubt, though it must be borne in mind that steamers can only take a certain amount of such heavy material; and if, therefore, I conclude to make up the quantity at once, it will not, I trust, be taken as evidence against me not to stand up to your instructions, as embodied in the document submitted to me by Mr. Watson, but will be excused rather on the plea of the very urgent necessity which induced General Beauregard to write that I could render no more valuable service than by securing the prompt transportation of this iron, and thus enable him to complete the harbor defenses of Charleston.

Colonel Gorgas, Chief of Ordnance, has from time to time sent me orders for the purchase of block tin, and has latterly most urgently [called] for a supply of lead. In conformity with his request I purchased all the lead on the spot, and during last week shipped thirty-five tons by four different steamers. It seems obvious that Colonel Gorgas desires to divide the risk, and I therefore adopted the course of sending in small quantities by each conveyance. If there was a large supply here I would not hesitate to ship the remaining forty tons by one boat, but my present intention is to divide it up into four shipments. I need not allude to the orders that constantly reach me from other departments, intending of course to dispose of them hereafter in the manner assigned by you, and which, the Government being the owner of the largest share of the new line, is obviously the best and cheapest mode. But in view of the facts above cited—and they are far from embracing all in which my judgment and discretion are

repeatedly appealed to—it will be a satisfaction indeed to receive the benefit of your approval and to know that if always under great reserve I feel impelled to assume responsibility, you will not withhold your sanction after frank explanation of the motives that dictated my action.

I am, with great respect, your obedient servant,

L. HEYLIGER,
Government Agent.

PROCLAMATION BY THE PRESIDENT.

Whereas, it is provided by an act of Congress entitled "An act to further provide for the public defense," approved on the 16th day of April, 1862, and by another act of Congress approved on 27th of September, 1862, entitled "An act to amend an act entitled 'An act to provide further for the public defense,' approved 16th of April, 1862," that the President be authorized to call out and place in the military service of the Confederate States for three years, unless the war shall have been sooner ended, all white men who are residents of the Confederate States between the ages of eighteen and forty-five years at the time the call may be made, and who are not at such time legally exempted from military service, or such part thereof as in his judgment may be necessary to the public defense;

And whereas, in my judgment the necessities of the public defense require that every man capable of bearing arms between the ages aforesaid should now be called out to do his duty in the defense of his country, and in driving back the invaders now within the limits of the Confederacy:

Now, therefore, I, Jefferson Davis, President of the Confederate States of America, do, by virtue of the powers vested in me as aforesaid, call out and place in the military service of the Confederate States all white men residents of said States between the ages of eighteen and forty-five years, not legally exempted from military service, and I do hereby order and direct that all persons subject to this call and not now in the military service do, upon being enrolled, forthwith repair to the conscript camps established in the respective States of which they may be residents, under pain of being held and punished as deserters in the event of their failure to obey this call, as provided in said laws. And I do further order and direct that the enrolling officers of the several States proceed at once to enroll all persons embraced within the terms of this proclamation not heretofore enrolled. And I do further order that it shall be lawful for any person embraced within this call to volunteer for service before enrollment, and that persons so volunteering be allowed to select the arm of service and the company which they desire to join, provided such company be deficient in the full number of men allowed by law for its organization.

Given under my hand and the seal of the Confederate States of America, at the city of Richmond, this fifteenth day of July, in the year of our Lord one thousand eight hundred and sixty-three.

[SEAL] JEFFERSON DAVIS.

By the President:

J. P. BENJAMIN,
Secretary of State.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, July 15, 1863.

Col. JOHN S. PRESTON,
Columbia, S. C.:

COLONEL: It is most important to secure the promptest and most efficient execution of the law of conscription throughout the Confederacy, and to this end the Department is most anxious to place in charge of the whole subject at the central sub-bureau here an officer of high ability and known repute. The officers heretofore in charge have been temporarily detached from the Army and have perhaps naturally considered the duty as in some measure incidental, and it may not therefore have commanded their exclusive direction and their full energies. The requisite qualifications are found concentrated in yourself, whose able administration of your special department has attracted the attention and secured the commendation of all acquainted with it. Trusting to your zeal and patriotism for whatever sacrifice, if any, of your tastes and preferences it may entail, I seek your acceptance of this position, and shall feel greatly relieved both from personal responsibility and solicitude for the public service by your assent to assume the general direction of one of the most important branches of the public service.

With high esteem, very truly, yours,

JAMES A. SEDDON,
Secretary of War.

AUGUSTA, *July 15, 1863.*

Col. J. GORGAS,
Chief of Ordnance:

Permission is asked of the Secretary of War to muster into the Confederate service the city companies of Augusta for its special defense to serve in times judged threatening during the war and exempted from all other military calls.

GEO. W. RAINS,
Lieutenant-Colonel.

HDQRS. VOL. AND RECRUITING BUREAU, ARMY OF TENN.,
Chattanooga, July 15, 1863.

Colonel EWELL,
Chief of Staff:

I inclose an order* from General Bragg directing the functions of this bureau to be resumed in the enforcement of the conscript law; also directing me to report by letter to General Johnston. My headquarters will be established at Marietta, Ga., to which place I shall repair in a few days.

I also transmit an application to organize the population of North Alabama, Middle and West Tennessee, including stragglers and deserters from the Army, into the cavalry arm of the service. To this I invite the immediate attention of the general. If it receives his approval I will immediately visit him in person and fully explain to him my plan of operations, from which I have confident expectations of the most signal success. I would be glad to be informed whether the officers of the Richmond bureau will still continue their

*See Series I, Vol. XXIII, Part II, p. 912.

operations in the department independently. If they are not placed under the orders of this bureau conflicts are again likely to arise between the two and misrepresentations made to the War Department in *ex parte* statements. I have drawn all the officers under me south of Tennessee River and I am rapidly reorganizing for the work. General Bragg has ordered a small regiment of cavalry to the assistance of the bureau, but until the large bands of deserters that infest the mountains of North Alabama are broken up I shall need additional force. I am sure that there are at least 5,000 deserters banded together in those mountains.

The importance of early action in this matter induces me to send a special courier. I hope it will receive the immediate attention of the general and that I shall receive by the courier, Colonel Lockhart, instructions from the general.

Respectfully,

GID. J. PILLOW,
Brig. Gen., C. S. Army, and Chief of Bureau, Army of Tenn.

[Inclosure No. 1.]

CHATTANOOGA, *July 14, 1863.*

Brig. Gen. W. W. MACKALL,
Chief of Staff, &c.:

If the general commanding can place at my disposal a body of cavalry to cover and protect my work, I propose to enter Tennessee—West and Middle—and organize as cavalry all the population of those divisions of the State that can be drawn into the service. I am satisfied a large body of troops can thus be gotten up who will otherwise be lost to the service for the balance of the war. My application embraces the stragglers from the Army as well as the citizen population. These stragglers in Tennesse cannot be reached and drawn out except in this way. The simple question to be decided is whether as a matter of policy we had better get these men into the service as cavalry or lose them altogether. Both Congress and the President have sanctioned the principle of recovering in new commands stragglers in the special law passed legalizing the organization of Major-General Hindman in the Trans-Mississippi Department, in which were embraced many stragglers from the Army of Tennessee. I would not of course desire to undertake a service of this kind, except with the view of providing a command, if successful, for myself. This force kept in Tennessee would not only protect that country, but by operating upon the enemy's line of communication with his base of supplies, and harassing his rear and forcing him thus to weaken his front in order to keep up his line, would give material aid to General Bragg's army in any future movement forward. If I undertake this service I should deem it essential to success to have entire control, under the commanding general of the department, of all organizations within those regions. I comprehend in my plan of operations the organization of that part of Alabama north of Tennessee River, and to be allowed the services of all supernumerary officers of that portion of the Army of Tennessee from that section of the country.

Respectfully,

GID. J. PILLOW,
Brigadier-General, C. S. Army, &c.

[Indorsement.]

This movement can be covered by the cavalry force of Colonel Roddey in North Alabama, and promises important results.

BRAXTON BRAGG,
General.

[Inclosure No. 2.]

CHATTANOOGA, *July 14, 1863.*

Brigadier-General MACKALL,
Chief of Staff:

Being advised by General Bragg that the Government has ordered this bureau to be restored to its former functions and to be carried under the orders of the department commander, General Johnston, I deem it my duty to bring to his attention the necessity of being provided with an adequate supporting force or of being allowed to organize myself such supporting force.

The cavalry with which I was enforcing the conscription law was withdrawn when the bureau was suspended in its work. The consequence has been a great increase of stragglers, who now infest the mountains of North Alabama, and who are so formidable in numbers and so thoroughly armed and organized as to hold the citizen population in terror of their displeasure. They rob, burn, and murder the unarmed and defenseless population of the country with impunity. As a general thing, they have been joined by the tory population, who were liable under the conscript law. They thus constitute a force with which the officers of this bureau can do nothing unaided by a supporting force of cavalry. But for the work of this bureau having been suspended, this evil to the service would have been cured before it grew to such formidable proportions. Its suspension was considered by the men placed by it in the Army as an evidence of the displeasure of the Government. They believed they were wrongfully put in the service, and as a necessary consequence they deserted in large numbers, carrying with them their arms and ammunition, and have now become a terror to the whole of the eleven counties—North Alabama—infested by them. No man is safe in passing along the public roads. The peaceable citizens are shot down at their daily labor in the fields. They burn up the property of those who condemn their course of conduct where they have no opportunity of other revenge. I performed great labor and added vastly to the strength of the Army of Tennessee, and instead of receiving the commendation I was visited by the censures of the Government. Under circumstances so discouraging I could hardly be expected again to go willingly into the work, but as my sole object has been to be useful to the country in this great struggle, I will again resume that work if allowed the supporting force so essential to success; otherwise it would be useless for me to undertake it. My small squads of officers and cavalry have been driven from the mountains and some of my men killed.

If these deserters are arrested again and sent to the Army of Tennessee, as many of them have been a second, third, and even fourth time, they will not stay. I therefore strongly recommend that they be sent to the Army of Virginia. They cannot get back from that army as easily as they do from the Army of Tennessee, operating so near their homes.

Respectfully,

GID. J. PILLOW,
General, C. S. Army, and Chief of Bureau, Army of Tennessee.

[Indorsement.]

I deem the views of General Pillow important and prompt action is necessary.

BRAXTON BRAGG,
General.

RICHMOND, *July 16, 1863.*

Lieut. Col. N. D. COLLINS,
Capt. H. J. PRICE,
Richmond, Va.:

SIR: In conjunction with Colonel Richardson, now operating in West Tennessee, and with his indorsement first obtained, you are authorized to raise within the enemy's lines a regiment of partisans to act near and on the banks of the Mississippi River in obstructing the communication and transportation of the enemy thereon. When the regiment is formed and the muster-rolls of the companies filed in this office, Lieut. Col. N. D. Collins will be appointed colonel, and Capt. H. J. Price lieutenant-colonel, the majority to be afterward filled, by appointing a suitable officer.

The company officers will be elected and copies of the election returns should be forwarded for file in this office.

By command of the Secretary of War.

SAM. W. MELTON,
Assistant Adjutant-General.

TO THE PEOPLE OF GEORGIA:

The late serious disaster to our arms at Vicksburg and Port Hudson, together with General Bragg's retreat with his army to our very borders, while they are no cause of despair of our ultimate success, if we are true to ourselves and place our trust in God, admonish us that if we would protect our homes from the ravages of the enemy it is time for every Georgian able to bear arms to unite himself without delay with a military organization, and hold himself in readiness at a moment's warning to strike for his home and the graves of his ancestors, with an unalterable determination to die free rather than live the slave of despotic power. Tens of thousands of our citizens have volunteered for the war, and those of them who have not been slain or disabled are still risking everything for our success in distant fields on the borders of the Confederacy. On account of the near approach of the enemy to the interior, the call is now upon those at home, who have made comparatively little sacrifice, to volunteer to defend their habitations and property, and the homes and families of their neighbors who are in the Army, against the threatened attacks of the enemy. Is there a Georgian able to bear arms so lost not only to patriotism, but to all the noble impulses of our nature, that he will in this emergency refuse to take up arms for the defense of his home and his family when the enemy comes to his very door to destroy the one and insult and cruelly injure the other? If there be a Georgian possessed of so little courage and manliness, let his fellow-citizens mark and remember him. If he hides himself behind some legal exemption, as a mere pretext to avoid duty, let him be exposed to the censure he deserves; or if, in his anxiety to make money and become rich, he turns a deaf ear to the promptings of patriotism, and would

sacrifice his liberties to his avarice, let him be exposed with indignant scorn to public contempt. The time has come for plain talk and prompt action. All that is dear to a people on earth is at stake. The best efforts of every patriot are required to save our cause from ruin and our children from bondage. We are determined to be a free people, cost what it may, and we should permit no man to remain among us and enjoy the protection of the Government who refuses to do his part to secure our independence. If all our people at home will organize for home defense, and the Secretary of War will issue and enforce such orders as will compel the thousands of persons in Confederate service, who, on account of the wealth of parents or political influence, or other like causes, are now keeping out of the reach of danger, as passport agents, impressment agents, useless subalterns connected with the different departments, including other favorites of those in position, stragglers, &c., many of whom are suspected of riding over the country at public expense, engaged on private speculations—enrolling officers in counties where the officers are exempt are almost as numerous as the conscripts now in the counties subject to enrollment—and the host of officers in uniforms, and others who are daily seen in every city, town, and village, and upon every railroad train, and in every hotel in the Confederacy, to return immediately to their respective commands in the field, we should soon have armies strong enough to roll back the dark cloud of war which now hangs over us, and drive the invaders from our soil.

By reference to the general order herewith published it will be seen that a draft will be had on Tuesday, the 4th day of August next, in each county in this State which neglects or refuses to furnish the quota of men required of it. Though some few of the counties have exhibited too little interest, I cannot believe that a single one will have its character stained by the necessity for a draft for men to defend their own homes. To those counties which have nobly and promptly responded, and especially to those which have tendered much more than their quota, I return my sincere thanks.

While the militia officers of this State have generally responded promptly and willingly, I regret to hear that some of them, in contradiction of all the professions they have made that they remained at home for home defense, now refuse to volunteer. To all such I hereby give notice that if they fail to connect themselves as volunteers with the organizations now called for, and to enter the service, as invited in my proclamation calling for 8,000 troops by the 4th of August next, the protection of the State against conscription will be withdrawn from them, and they will be turned over to the enrolling officers under the conscript act. If, however, any militia officer when approached by the conscript officer will make an affidavit that he has not heard of this proclamation or had notice of it, he shall have five days from that date within which to join one of the companies now called for as a volunteer. This rule does not embrace any one connected with the staff of the commander-in-chief, as they are expected to hold themselves in readiness at all times to obey his orders, and are not expected to join these companies. All justices of the peace and constables are subject to the same rule as militia officers, as their offices are not now so important that they cannot be spared to do local and temporary service in the defense of the State. In protecting State officers against conscription I have acted upon what I consider an important principle. If any of them now refuse to aid in the defense of their homes it will

be proper that the State withdraw this protection from such in future. Let no one despair of our ultimate success. We should not expect to be victorious upon every field. The splendid achievements of our armies in the past have made us an historic people, and have clearly foreshadowed the final triumph of our arms and the future glory and grandeur of the Confederacy. Such a people, inhabiting such a country, and having such mothers, wives, sisters, and daughters, need only be true to themselves and humbly trust in Almighty power to be invincible.

Given under my hand and seal of executive department this 17th day of July, 1863.

[SEAL.] JOSEPH E. BROWN.

GENERAL ORDERS, No. 16. } ADJT. AND INSP. GENERAL'S OFFICE, *Milledgeville, July 17, 1863.*

The commander-in-chief having heard with regret that some of the counties in this State have not made preparations to respond to his call for 8,000 men under the late requisition of the President for home defense, orders:

1. That the commander of each regiment and independent battalion of the militia of this State, in each county that has not filled the requisition made upon it, order every man under his command who is between eighteen and forty-five years of age to assemble at the regimental or battalion drill ground on Tuesday, the 4th day of August next, and that at 11 o'clock on that day he form them into line and read, or have read, the Governor's proclamation of this date and this order, after which he will invite them to volunteer to the number required of the county. If they refuse to volunteer, then he will proceed to draft the number required of the county by placing in a hat the names of all persons within the limits of his command, of the ages aforesaid, who are not in the actual military service of this State or the Confederate States, or in one of the companies formed or forming under this call, whether they are present or not. And he will cause to be drawn out of the hat indiscriminately one-third more names than will fill the requisition, to take the places of such as may be drawn among the number required who are not able to do service. No one will be discharged, however, who cannot satisfy the commanding officer that he is unfit for as much as two weeks' active duty at one time. When the number is full, the last names drawn which are over the quota, after those unfit for service have been deducted, will be dropped from the list, having with the number who have volunteered the quota required.

2. When there are two regiments or independent battalions in a county, the commanding officers will meet prior to the day fixed for draft and agree, if they can, what part of the quota each is to furnish. If they cannot agree, each will draft the number required, if he has so many, and when the names are returned to headquarters with facts the number will be apportioned by returning such part of the men drafted by each as will equalize the burden and fill the quota. The fact that a person within the ages mentioned is not from any cause subject to be taken into active service as a conscript does not exempt him from draft by the State for home defense. If he has procured a substitute or has procured an appointment under some Confederate officer having but little duty to do, to keep him out of conscription, or if he is an unnaturalized foreigner and is living

under the protection of our Government and laws, in these and all like cases he is bound to defend his domicile, and liable to be drafted by the State and compelled to do so.

3. When the number drafted is not sufficient with the volunteers in the county to form a company, their names will be sent to these headquarters and they will be distributed among such companies as may be most convenient.

4. As the law of Congress prohibits the President from ordering the troops organized under this call out of the State without their consent, and authorized them in their muster-rolls to prescribe the limits within which they are to serve, all volunteers will be accepted with this privilege, provided they will in each case prescribe a reasonable boundary within the State, not more than one-fourth of its territory, which they will engage to help defend. All companies formed of operatives in factories or workmen in Confederate or State machine-shops, or other railroad employés, and all persons engaged in the manufacture of iron, if they can form a company of forty-four men, may limit their service in their muster-rolls to the particular locality of their employment, and they will be accepted for such local defense and in no case ordered out of the county without their consent.

5. Neither ministers of religion, telegraphic operators, justices of the inferior court, nor county agents charged with the duty of relieving the necessities of soldiers' families, not exceeding two of the latter to each county, will be drafted under this order for home defense.

HENRY C. WAYNE,
Adjutant and Inspector General.

RICHMOND, *July 17, 1863.*

Lieut. Col. GEORGE W. RAINS,
Augusta, Ga.:

COLONEL: In answer to your telegram of the 15th, the Secretary of War directs me to say that no authority can be given which will intervene between any party and his liability as a conscript. You are authorized, however, to organize local companies under General Orders, No. 86, current series, composed of men not liable to or in any manner exempt from conscription, including detailed men and men employed in Government works. Upon receipt of the rolls, accompanied by certificates of election of the officers, or recommendations for their appointment, in accordance with paragraph IX, commissions will issue. A copy of the order is inclosed.*

Very respectfully, &c.,

S. W. MELTON,
Assistant Adjutant-General.

[JULY 17, 1863.—For Bonham to Davis, in relation to President's proclamation of July 15, see Series I, Vol. LIII, p. 291.]

EXECUTIVE DEPARTMENT,
Richmond, July 17, 1863.

His Excellency JEFFERSON DAVIS,
President Confederate States of America:

MR. PRESIDENT: The General Assembly of Virginia on March 7, 1862, passed an act directing the enrollment in certain cities of the

*See p. 602.

Commonwealth of all white male inhabitants of the same between the ages of sixteen and eighteen and forty-five and fifty-five years, and constituted the persons so enrolled "the second military class," subject to be called out by the Governor in whole or in part "whenever in his opinion it shall be necessary for public defense." (See Session Acts 1861–'62, pp. 44, 45, 46.) Concurrent with your requisition upon Virginia for 8,000 militia for State defense, this "second military class," by orders from the Governor, was called into the service of the State, and the organization of one regiment in the city of Richmond (of ten companies), nearly 1,000 strong, was perfected on the 12th instant, and the nucleus of another obtained. Since the proclamation of Your Excellency extending the conscription to forty-five years there is no military power left in this State with which the Executive may be enabled to "suppress insurrection and enforce the execution of the laws" but this "second military class" (see constitution of Virginia, art. 5, sec. 5), in no wise liable to Confederate authority, but, on the contrary, conscripted into the service of Virginia; yet the Executive of this State has interposed no obstacle in the way of any of this class (who preferred to do so) to join any organization authorized by act of Congress, where such person had not been already enrolled and was actually a component of a perfected organization under State laws; nor am I advised that a different rule will be adopted in the future, but it will occur to Your Excellency that it cannot be allowable to permit companies, raised and commissioned in pursuance of the law referred to, to be interfered with as in the case about to be brought to Your Excellency's notice. Since the regiment referred to has been commissioned, officers of the Confederate Government, in disregard of law and without consultation with or the approval of the Chief Magistrate of this Commonwealth, and doubtless without your knowledge, have seriously impaired its strength by recruiting from its ranks companies of their own authorized by Congress to be raised for the same object which demanded the call for the "second military class." The result has been that one company has been reduced since the regiment was put in commission by the abstraction of fifty men, and another has lost nearly its whole number; and it will be readily seen by Your Excellency that at this rate the first regiment of the "second military class" will shortly cease to exist. It is only necessary to call the attention of Your Excellency to the matter of complaint to insure your prompt correction of the mischief likely to be produced and the immediate return of the men to their proper command.

With sentiments of cordial esteem, I am, Mr. President, Your Excellency's obedient servant,

S. BASSETT FRENCH,
Colonel and Aide-de-Camp.

This letter has been delayed awaiting instructions of the Governor, who is absent from the city, and is now respectfully forwarded by his direction.

S. B. F.

[First indorsement.]

SECRETARY OF WAR:

There seems to be some misapprehension, which you will please correct.

J. D.

[Second indorsement.]

AUGUST 11, 1863.

No men are enrolled for local defense. They volunteer, and those of the militia are entitled so to do.

J. A. S.,
Secretary.

RICHMOND, VA., *July 18, 1863.*

His Excellency Z. B. VANCE,
Raleigh, N. C.:

GOVERNOR: I have the honor to acknowledge the receipt of your letter of the 9th instant informing me of your efforts to raise the 7,000 men I recently called for, and asking me to receive as part of this number certain companies already organized by you for local defense. The Secretary of War has been directed to receive the companies offered, and to credit them to the State, in compliance with your request. Your zeal and energy are so well known and so highly appreciated that I am induced to hope that you will succeed in organizing the full number called for, though you do not now expect to be able to do so. Your failure to obtain the desired legislation shows how slow our people are to realize the necessities of the country.

Very respectfully and truly, yours,

JEFFERSON DAVIS.

[JULY 18, 1863.—For Davis to Bonham, explaining terms of proclamation of July 15, see Series I, Vol. LIII, p. 292.]

ORDNANCE BUREAU,
Richmond, July 18, 1863.

Hon. J. A. SEDDON,
Secretary of War:

In connection with the letter of Major Huse of June 12, inclosed for your perusal, I beg respectfully to say that as Major Huse has requested Hon. C. J. McRae to audit the account of S. Isaac, Campbell & Co., with a view to its settlement, and General McRae has entered upon an adjustment of the loan with a view to placing the credit of the Government on the best footing and of realizing present means for its use, I respectfully recommend that he be furnished with the copy of agreement with S. Isaac, Campbell & Co. for settlement of their debt, made here, which is inclosed; that after deducting the £100,000 in cotton, as therein provided, and such other sums as may have been paid, that he be authorized to draw upon the Erlanger loan in such manner as the Secretary of the Treasury may direct for a sufficient sum to settle the balance of said debt. The cotton going out in our steamers will then be released, and can be used to meet present wants. Being relieved entirely from this debt, our agents will then purchase in open market and generally for cash.

Very respectfully, your obedient servant,

J. GORGAS,
Colonel and Chief of Ordnance.

Please return letter of Major Huse.

[Inclosure No. 1.]

PARIS, *June 12, 1863.*

Col. J. GORGAS,
Chief of Ordnance, Richmond:

COLONEL: Your communication dated May 6, inclosing copy of your instructions to Superintendent Burton, was handed to me by Mr. Burton yesterday. I regret that it will not be practicable for me to furnish Mr. Burton with the funds he requires for perhaps some time to come. The whole question of finance for the War Department on this side the water is full of difficulties. It has lately received careful attention from Mr. McRae, the agent of the Treasury Department for the loan, and he has manifested every desire to co-operate cordially with me to the extent of his power. After fully conferring with him I have addressed a letter to him, a copy of which will, I think, afford you the best means of understanding the true position of affairs. I accordingly insert it in full:

25 GRANDE RUE, PARIS, *June 11, 1863.*

C. J. MCRAE, Esq.,
Agent for C. S. Loan, Paris:

SIR: In compliance with your request I have the honor to confirm in writing that I have made arrangements, by order of the C. S. War Department, which require the sum of, say, £592,000. Of this sum £580,000 are now due, and the remaining £12,000 will be due in August. As the punctual payment of the above is very urgent and necessary to maintain the credit of the Government, I respectfully request you to pay the same out of the installments of the Confederate loan. Of the £580,000 now due £65,000 are for cannon, leather, and other ordnance supplies, which I expected to pay cash for from the proceeds of the cotton shipped from time to time by the Chief of Ordnance. By the arrangement I am now making I am depriving myself of that source of funds for some time to come. I beg, therefore, that you will provide me with money to this amount at the earliest possible date. The remaining £515,000 are due to S. Isaac, Campbell & Co., London. As security for the payment of their account I have deposited with them cotton warrants representing, say, £100,000, and 8 per cent. bonds for $2,000,000. Upon these securities Messrs. Erlanger & Co. have advanced to S. Isaac, Campbell & Co. the sum of £90,000. Messrs. Erlanger & Co. have further arranged with S. Isaac, Campbell & Co. to take over their entire account. Please reimburse Messrs. Erlanger such amounts as may be due to them on the final settlement of their account. The cotton warrants and 8 per cent. dollar bonds they will return to S. Isaac, Campbell & Co., by whom they will be given up to me. These securities and all money that I may receive from any source on account of the Confederate States Government I will turn over to you, to be held until the amount of payments made for me under this arrangement shall be covered by proceeds from sales of cotton and Treasury drafts drawn in my favor. I further suggest not to make any new purchases on Government account until these claims are satisfied, except with your previously obtained approval.

I am, &c.

It was not without careful deliberation that I determined upon this course. By adopting it my hands will be tied for some time. I trust, however, that relief will soon be afforded from Richmond. This can de done by providing me with drafts against the loan for the amount of the account assumed by Erlanger & Co. The loan is not in that favorable condition you doubtless consider it to be. It would not be proper for me in an official communication to the War Department to enter upon matters that relate to the Treasury Department. It will be sufficient for me to say that in Mr. McRae I find a clear-headed man, desirous of doing everything in his power to promote the interests of the Government. It has been thought best by both Mr. McRae and myself to definitely close up all outstanding accounts, and until that is accomplished nothing can be done in the way of making new contracts. I beg to suggest that a certain definite portion of the proceeds of the

loan be set aside on this side for the War Department. Let that be placed in the hands of either Fraser, Trenholm & Co. or Mr. McRae; then let me go on with the business here as rapidly as the funds on hand will permit. Such a plan would render all cotton available at once; for as matters now stand, Erlanger & Co. having assumed the account of Isaac, Campbell & Co., no matter what may be the condition of the loan, a draft against it will be perfectly good to reimburse Erlanger & Co. If the Secretary of the Treasury could be induced to give up the entire control of whatever portion of the loan he may determine upon for the use of the War Department to Fraser, Trenholm & Co., or Mr. McRae, I am quite certain that either one of them would be able to facilitate the dispatch of business very considerably. Erlanger & Co., having assumed S. Isaac, Campbell & Co.'s account, I shall take care that none of the proceeds of cotton are given to them. They must look to the loan for their reimbursement. Still, no one has any right, as matters now stand, to appropriate any of the loan, and no matter how much cotton I may receive, I cannot make use of it until warrants are received from the Treasury Department to cover the amount assumed by Erlanger & Co. It is proper for me to state that I have desired Mr. McRae either to audit S. Isaac, Campbell & Co.'s account himself, or to appoint some person to do so. This course seemed to me necessary, for if the examination of my accounts were left to be done in Richmond without at least a preliminary examination in England by a competent and duly trusted person, the result might not prove satisfactory either to the Government or to myself.

I hope that the delay in Mr. Burton's business will not be serious. I have already obtained from the manufacturers he expects to employ full estimates of the cost of the machinery for a complete establishment such as Mr. Burton has in view. These estimates I shall of course place at the disposition of Mr. Burton. I have also an offer of sale from the London Armory Company of their entire plant, now in successful working order. The advantage of making this purchase would be that it would save several months of delay. However, I presume Mr. Burton is fully impressed with the views of the Ordnance Bureau and will carry them out to the best advantage. It will afford me great satisfaction to co-operate with so competent a person, and one for whom I have for several years had so high a regard, as Mr. Burton.

I have examined the lists of supplies required for the War Department and find that a large proportion of them have already been shipped, and I trust that they will soon be received.

I have in two communications referred to the Crenshaw contract. I trust that those communications, dated April 17 and May 16, were received, none of the steamers by which they would be likely to have been forwarded having been captured. It is utterly impracticable to carry out this contract, and it has been a source of great embarrassment to me. Mr. Crenshaw has been provided with £55,000 by Mr. Mason at a time when the creditors were really clamorous. This money has been invested in ships over which no officer can have the slightest control, and which, for the want of money to purchase cargoes, can only be used for the benefit of the private owners. I am aware that there is some Government freight on board one of them, but this, so far from being advantageous, is quite the reverse. None of the small steamers calculated for coast work ought to take cargoes across the ocean. All that they can properly do is to carry coal for

the voyage. The result of the contract thus far has been to provide the house of Alexander Collie & Co. with a capital of £55,000 in steamers of which the Confederate States Government is to pay three-fourths of the expense. Major Walker writes to me for another steamer. I have for some time been desirous of adding another, or even two, to the fleet, but it is impossible under present circumstances. In fact, the working of the two lines seems to me impossible. I trust that some adjustment of the difficulty will be made in Richmond. I have in my letter of April 17 pointed out the impossibility of securing the co-operation of Mr. Crenshaw. Major Walker forwards from Bermuda requisitions made on him for leather, stationery, and other supplies. Large quantities of leather are now en route. Stationery to a considerable amount has also been sent, which, though not perhaps of the exact pattern desired, will satisfy the most urgent necessities of the department for some time to come.

I have the honor to be, very respectfully, your obedient servant,

CALEB HUSE,
71 Jermyn Street, London.

[Inclosure No. 2.]

Memoranda of proposition for settlement of the debt due by the Government of the Confederate States of America to Messrs. S. Isaac, Campbell & Co., London.

We propose to receive from the Government as an installment the sum of £100,000, payable in cotton located at Savannah, Augusta, Macon, and Columbus, Ga.; Montgomery, Ala.; Charleston, Columbia, Cheraw, Camden, S. C., and Charlotte, N. C., the value of the cotton being calculated at 6 pence per pound for an average of middling qualities. The same to be placed on a footing with Government cotton, to be entitled to same preference in transportation to the ports, and be delivered when called for, after reasonable notice at the places named, and in such proportion at each place as may be most convenient. The Government will remit shipments of cotton to Europe, paying to Messrs. S. Isaac, Campbell & Co. such sums from the proceeds of the cotton as will liquidate balance of said debt by the 1st day of January next, first payment commencing on or about the 1st of September next. The Government will have the option at any time up to time of final payment to pay such sum as may remain due in cotton at 4 pence per pound, subject in all respects to the foregoing stipulations as to the cotton first proposed to be delivered.

S. ISAAC, CAMPBELL & CO.
WILLIAM BATTERSBY,
Attorney.

RICHMOND, *June 4, 1863.*

I respectfully recommend the acceptance of this proposition.

J. GORGAS,
Colonel and Chief of Ordnance.

Approved and accepted.

JAMES A. SEDDON,
Secretary of War.

It is understood the above cotton is subject to export duty.

S. ISAAC, CAMPBELL & CO.
W. BATTERSBY,
Attorney.

COLUMBIA, S. C., *July 20, 1863.*

MR. SEDDON,
Secretary of War:

MY DEAR SIR: This morning I received your note of the 15th of July tendering to me the place of chief of the Bureau of Conscription. Without a moment of hesitation I accept the place, because my duty is to attempt to do that I am bidden to by the authorities of my country. While, therefore, for this reason I do not hesitate, I confess to you I tremble lest the habits of my past life may not have duly prepared me for the administration of so wide and delicate a portion of the public policy. I am encouraged by your kind commendation of my slight efforts in my limited sphere, and I will attempt this graver duty, trusting to my earnest zeal and industry to retain your approval. One week will serve to put my offices in shape for my successor, and I will have the honor of reporting in person on the 1st day of August. I beg you to accept the expression of my sincere appreciation of the evidences of personal kindness manifested in your note.

I am, with high esteem, very truly and respectfully, yours, &c.,
JOHN S. PRESTON.

GENERAL ORDERS, No. 98. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, July 20, 1863.*

I. All white male residents of the Confederate States between the ages of eighteen and forty-five not exempted by law, and not already in the service, will be enrolled. Persons liable to enrollment may be enrolled wherever they may be found.

II. The first paragraph of General Orders, No. 86, current series, is so amended as to read as follows:

Companies, battalions, and regiments composed of persons not within the age of conscription (eighteen and forty-five) will be accepted as volunteers throughout the Confederacy, under the act of August 21, 1861, No. 229, for local defense and special service.

Those persons belonging to such organizations who are of conscript age, and neither exempted by law nor already in the service, will be discharged and reported to the Bureau of Conscription for enrollment.

III. The following regulation will be in addition to those heretofore published in regard to substitutes:

Hereafter every person furnishing a substitute in accordance with existing regulations shall become liable to and be immediately enrolled for military duty, upon the loss of the services of the substitute furnished by him from any cause other than the casualties of war.

By order:

S. COOPER,
Adjutant and Inspector General.

EXECUTIVE DEPARTMENT,
Tallahassee, July 20, 1863.

HON. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

SIR: The voting population of the State of Florida had never previous to the commencement of the war exceeded 12,800; and as near as ascertained within a fraction of 15,000 citizens of Florida have been mustered into the Confederate service. When a requisition for

troops was made from the State the Hon. J. P. Benjamin, then Secretary of War, promised, in a letter dated February 14, 1862, that any excess over the amount required should be credited to the State in any future requisition. The excess was 2,200, and therefore Florida might claim to be relieved from the late requisition, but the faith of the State is pledged to sustain the Confederate Government in the maintenance of the war to her last man and musket and with all the means of the State. The pledge was solemnly made, and to the utmost of my ability shall be honorably redeemed. Our muskets and arms of every kind (except eighteen muskets) have long since been placed in the hands of soldiers in Confederate service; but candor compels me to say that I apprehend there are not in the State 1,500 men between the ages of eighteen and forty-five capable of bearing arms, excluding those whom, I regret to say, have substitutes in the Confederate service. Florida contains an area of 59,268 square miles, which is 1,268 square miles larger than Georgia; and between the two there is no comparison in population. Owing to the peninsular position of the State and its sparse population, communication with its citizens throughout its area is rendered more difficult and requires a much longer period to effect it than in a more centrally situated and densely populated State like Georgia. With such an amount of territory and so small a population scattered over it, and with unavailable militia laws, you may readily believe that it is a physical impossibility to raise 1,500 men in the time required—even if the number is in the State—unless they shall volunteer freely, as they should do, but which I have much reason to believe they will not do. I do not ask to have the State relieved from the requisition, but I do ask that the time may be extended to the 1st or 10th of September, and in the meantime I will cause all that can be raised to be mustered into the Confederate service as soon as ready, and will exert all the power I possess to get them ready as soon as possible.

The correspondence between the Hon. David L. Yulee, the president of the Florida Railroad Company, and myself has been submitted to your consideration, and in connection with it I now submit copies of a letter expressive of the views of your predecessor, the Hon. G. W. Randolph; an order of Brigadier-General Trapier; the proceedings of the late Executive Council, and of the trustees of the board of internal improvement fund in relation to the removal of the iron from parts of that road. The views of Brigadier-General Trapier and of Brigadier-General Cobb are on file in your office, and herewith I hand you those of General Beauregard. I know of no man reasonably claiming to be an officer of military experience, or to have received a military education, who has expressed an opinion at variance with the position maintained by me that the connection of the two railroads alluded to, and the extension of the Pensacola and Georgia Railroad to Chattahoochee, are necessary to the defense of the State. Can the Confederate Government obtain the iron necessary from any other source than parts of the Florida Railroad? Is not the iron on the portions of the track of that road alluded to in the correspondence liable to be seized and destroyed, or used for the subjugation of that portion of the State, unless the troops in East Florida can be largely re-enforced? Has the Government troops to spare to re-enforce them? These are matters worthy of consideration and prompt action. It is true that Brigadier-General Finegan agrees with Mr. Yulee. The simple question is, Shall what is necessary to the defense of Florida be ordered agreeably to the views

expressed by those highest in authority, and to whom the welfare of the State has been confided, or shall the State be left defenseless in compliment to Mr. Yulee's and General Finegan's opinions?

I have the honor to be, respectfully,

JOHN MILTON,
Governor of Florida.

[Inclosure No. 1.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, April 3, 1862.

His Excellency JOHN MILTON,
Governor of Florida, Tallahassee, Fla.:

SIR: I have been informed that the line of railroad connecting Cedar Keys and Fernandina is now comparatively valueless to the Confederacy in consequence of both termini of the road being in possession of the enemy. Under these circumstances I should be pleased to receive your views of the expediency of removing the iron and telegraph wire, and if you concur with me in opinion I will direct the general commanding in Florida to have the rails and wire removed.

Very respectfully, your obedient servant,

G. W. RANDOLPH,
Secretary of War.

[Inclosure No. 2.]

SPECIAL ORDERS, No. 90.

HDQRS. PROVISIONAL FORCES,
DEPT. OF MIDDLE AND EAST FLORIDA,
Sanderson, March 10, 1862.

Captain Buckman, First Florida Battalion, with his company is hereby charged with the special duty of removing the iron from the track of the Florida Railroad and the Jacksonville Railroad as the trains on the latter shall cease running. The iron will be transported to the junction of the Tallahassee Railroad and the proposed Georgia connection, the cross-ties, &c., burnt. Captain Hickman, assistant quartermaster, will furnish the transportation.

By order of General Trapier:

R. H. ANDERSON,
Major and Assistant Adjutant-General.

[Inclosure No. 3.]

SPECIAL ORDERS, No. 108.

HDQRS. PROVISIONAL FORCES,
DEPT. OF MIDDLE AND EAST FLORIDA,
Tallahassee, March 18, 1862.

Special Orders, No. 90, is hereby modified as follows: The iron from the Florida Railroad will not be taken up south of Callahan, and all the iron removed from this road will be placed at Baldwin. The iron from the Jacksonville road will be placed at Lake City.

By order of General Trapier:

R. H. ANDERSON,
Major and Assistant Adjutant-General.

NOTE.—The foregoing order is in progress of execution by Captain Lesley, substituted for Captain Buckman, to whom Order No. 90 was directed.

[Inclosure No. 4.]

EXECUTIVE DEPARTMENT,
Tallahassee, March 13, 1862.

RESOLUTION OF EXECUTIVE COUNCIL PASSED MARCH 4, 1862.

Resolved, That the Governor be authorized to have taken up such portions of the railroad iron on the Florida Railroad, when the troops shall have been removed from Fernandina, as the public security demands, and remove the same to a place of safety.

Adopted. M. D. Papy, Wiggins, and Simpkins voted yea.

A true copy from the minutes. Attest.

E. BARNARD,
Private Secretary of His Excellency John Milton.

E. HOUSTOUN, Esq.:

General Trapier having ordered the iron taken up from Fernandina to Baldwin, you are requested to send the trains necessary to assist in moving the rails as they are taken up to a place of safety beyond the reach of the enemy. General Trapier has authority from the Government.

JOHN MILTON,
Governor of Florida.
By E. BARNARD,
Private Secretary to His Excellency.

[Inclosure No. 5.]

HDQRS. DEPT. OF SOUTH CAROLINA, GEORGIA, AND FLORIDA,
Charleston, S. C., July 6, 1863.

His Excellency JOHN MILTON,
Governor, Tallahassee, Fla.:

SIR: Your favor of the 29th ultimo has been received, inclosing your correspondence with Brigadier-General Finegan and Hon. D. L. Yulee relative to the removal of the iron from parts of the Florida Railroad and its appropriation for other purposes. After a careful perusal of the correspondence, which I have inclosed to the War Department for its information and consideration, I can but express my unqualified approval of the position you have assumed—that the connection of the Albany and Gulf Railroad with the Pensacola and Georgia Railroad, and the prolongation of the latter to the Chattahoochee—are indispensable to the proper defense of the State of Florida. Where the required iron should come from is a question that the State and Confederate governments alone are competent to decide, but your views on the subject appear to me to be conclusive.

Hoping that a spirit of pure patriotism will open the eyes of all concerned to the necessity of prompt action in measures so vitally important to the safety of your gallant State,

I remain, with high consideration, your obedient servant,

G. T. BEAUREGARD,
General, Commanding.

GENERAL ORDERS, No. 99. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, July 21, 1863.

I. The following schedules of prices for articles named therein, adopted by commissioners appointed pursuant to law for the State

of Virginia, are announced for the information of all concerned, and the special attention of officers and agents of the Government is directed thereto:

RICHMOND, *July 18, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: The commissioners appointed under section 5 of the bill recently passed by the Confederate Congress regulating impressments, being required to agree upon and publish a schedule of prices every two months, or oftener if they should deem it proper, in accordance with the foregoing requisition we respectfully lay before you the following schedules of prices, marked A and B, for the ensuing month. Owing to the difficulty of obtaining satisfactory information as to pork, we have postponed the appraisement till our next assessment.

Mr. William B. Harrison was again invited to act as third commissioner, and it is proper to add that the schedules of appraisement received the unanimous approval of the commissioners.

The following schedules present the maximum prices to be paid for the articles appraised at all cities and usual places of sale, and when impressed elsewhere the same prices are to be paid elsewhere, less the cost of transportation to the city or usual place of sale to which the article would go ordinarily for sale from that neighborhood, or less the cost of transportation to the point at which the Government needs the article and wishes it to be sent, provided that in no case the amount deducted for transportation as above shall exceed 25 cents per bushel for grain and 25 cents per hundredweight for long forage, flour, bacon, iron, &c.; in addition to the established price of transportation, the Government to pay all legal tolls; and where farmers cannot procure nails for baling forage, Government to furnish the same at cost, which will be deducted from the established price of baling:

SCHEDULE A.

Article.	Quality.	Description.	Quantity.	Price.
Wheat	Prime	White	Per bushel of 60 pounds	$5.00
Flour	Good	Superfine	Per barrel of 196 pounds	25.00
Corn	Prime	White	Per bushel of 56 pounds	4.00
Unshelled corn	do	do	do	3.95
Corn-meal	Good		Per bushel of 50 pounds	4.20
Rye	Prime		Per bushel of 56 pounds	3.20
Cleaned oats	do		Per bushel of 32 pounds	2.00
Wheat bran	Good		Per bushel of 17 pounds	.50
Shorts	do		Per bushel of 22 pounds	.70
Brown stuff	do		Per bushel of 28 pounds	.90
Ship stuff	do		Per bushel of 37 pounds	1.40
Bacon	do	Hog round	Per pound	1.00
Salt pork	do		do	1.00
Lard	do		do	1.00
Horses	First class	Artillery, &c	Average price per head	350.00
Wool	Fair	Washed	Per pound	3.00
Do	do	Unwashed	do	2.00
Peas	Good		Per bushel of 60 pounds	4.00
Beans	do		do	4.00
Potatoes	do	Irish	do	4.00
Do	do	Sweet	do	5.00
Onions	do		do	5.00
Dried peaches	do	Peeled	Per bushel of 38 pounds	8.00
Do	do	Unpeeled	do	4.50
Dried apples	do	Peeled	Per bushel of 28 pounds	3.00
Hay, baled	do	Timothy or clover	Per 100 pounds	3.00
Do	do	Orchard or herd grass.	do	3.00
Hay, unbaled	do	do	do	2.70
Sheaf oats, baled	do		do	4.00
Sheaf oats, unbaled	do		do	3.70
Blade fodder, baled	do		do	3.00
Blade fodder, unbaled	do		do	2.70
Shucks, baled	do		do	2.00
Shucks, unbaled	do		do	1.70
Wheat straw, baled	do		do	1.00
Wheat straw, unbaled	do		do	.70
Pasturage	do	Interior	Per head per month	3.00
Do	Superior	do	do	4.00
Do	First rate	do	do	5.00
Do	Good	Near cities	do	5.00
Do	Superior	do	do	6.00
Do	First rate	do	do	7.00
Salt	Good		Per bushel of 50 pounds	5.00
Soap	do		Per pound	.40
Candles	do	Tallow	do	1.00

SCHEDULE A—Continued.

Article.	Quality.	Description.	Quantity.	Price.
Vinegar	Good	Cider	Per gallon	$1.00
Whisky	do	Trade	do	3.00
Sugar	do	Brown	Per pound	1.00
Molasses	do	New Orleans	Per gallon	8.00
Rice	do		Per pound	.20
Coffee	do	Rio	do	3.00
Tea	do	Trade	do	7.00
Vinegar	do	Manufactured	Per gallon	.50
Pig iron	do	No. 1 quality	Per ton	125.00
Do	do	No. 2 quality	do	110.00
Do	do	No. 3 quality	do	100.00
Bloom iron	do		do	180.00
Smith's iron	do	Round, plate, and bar.	do	380.80
Leather	do	Harness	Per pound	2.60
Do	do	Sole	do	2.40
Do	do	Upper	do	2.80
Beef cattle	do	Gross weight	Per 100 pounds	16.00
Do	Superior	do	do	18.00
Do	First rate	do	do	20.00
Sheep	Fair	Per head		30.00
Army woolen cloth, 3-4 yard	Good	10 ounces per yard.	Per yard	4.50
Army woolen cloth	do	Pro rata as to greater or less width or weight.	do	
Army woolen cloth, 6-4 yard	do	20 ounces per yard.	do	9.00
Army woolen cloth	do	Pro rata as to greater or less width or weight.	do	
Flannels, 3-4	do	6 ounces per yard	do	3.00
Cotton shirting, 3-4	do	4½ yards to pound	do	.42
Cotton shirting, 7-8	do	3¾ yards per pound	do	.50
Cotton sheeting, 4-4	do	3 yards per pound.	do	.60
Cotton, Osnaburg, 3-4	do	6 ounces per yard.	do	.60
Cotton, Osnaburg, 7-8	do	8 ounces per yard.	do	.70
Cotton drills, 7-8	do	3 yards to pound.	do	.70
Cotton shirting stripes	do	3 yards to pound.	do	.70
Cotton tent cloths	do	10 ounces per yard.	do	.87
Cotton warps	do		Per pound	1.63
Army shoes	do		Per pair	10.00
Shoe thread	do		Per pound	2.00
Wool socks for men	do		Per pair	1.25

E. W. HUBARD.
ROBT. GIBBONEY.
WM. B. HARRISON.

SCHEDULE B.—*Hire of labor, teams, wagons, and drivers.*

		Price.
Baling long forage	Per 100 pounds	$0.80
Shelling and bagging corn; sacks furnished by Government	Per 56 pounds	.05
Hauling	Per cwt. per mile	.06
Hauling grain	Per bushel per mile	.08
Hire of two-horse team, wagon, and driver; rations furnished by owner.	Per day	10.00
Hire of same; rations furnished by the Government	do	5.00
Hire of four-horse team, wagon, and driver; rations furnished by owner.	do	13.00
Hire of same; rations furnished by the Government	do	6.50
Hire of six-horse team, wagon, and driver; rations furnished by owner.	do	16.00
Hire of same; rations furnished by the Government	do	8.00
Hire of laborer; rations furnished by owner	do	2.00
Hire of same; rations furnished by the Government	do	1.25
Hire of same; rations furnished by owner	Per month	40.00
Hire of same; rations furnished by the Government	do	20.00

E. W. HUBARD.
ROBT. GIBBONEY.
WM. B. HARRISON.

By order:

S. COOPER,
Adjutant and Inspector General.

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, Va., July 21, 1863.

To answer numerous inquiries, and to correct errors not uncommon, the following notice is published to all concerned:

1. Under the recent call of the President extending the conscript age, all substitutions have ceased to be valid if the substitute be less than forty-five years old and is not otherwise exempt by law.

2. Membership, whether as officer or private, of local organizations for home defense or special service confers no claim to exemption from Confederate service; neither does service in the militia, unless in case of officers actually in commission who have duly qualified.

3. Hereafter any one furnishing a substitute will become liable in his own person whenever the services of the substitute are lost to the Government from any cause other than the casualties of war.

4. Applications for exemption, on any ground whatever, must first be addressed to the local enrolling officer, who, if he has not power to act or is in doubt, will refer them to higher authority, with report of the facts. All such addressed direct to higher authority will necessarily and invariably be referred back for local examination and report, and the applicants will thus have uselessly lost time and prolonged suspense.

Appeals against adverse decisions by local officers will be forwarded by them for hearing, when any plausible ground of appeal is set forth.

5. Commandants of conscripts will give this notice extensive circulation in the local press of their respective States.

G. W. LAY,
Lieut. Col., Asst. Adjt. Gen., Acting Chief of Bureau.

RICHMOND, *July 21, 1863.*

Maj. HUTSON LEE,
Quartermaster, Charleston, S. C.:

SIR: It is a matter of great importance to secure all the wool that can be obtained in the State of South Carolina for the purpose of providing clothing for the Army. In order to accomplish this object you are hereby directed to divide the State into suitable districts, designating a quartermaster in each to superintend and control the purchase and collection of wool therein, if there be one available stationed in the district, otherwise a quartermaster conveniently located thereto will be charged with such duties. You will instruct said officers to employ all proper means to secure the wool in the districts before its transfer into the hands of speculators, and to this end all other quartermasters in their respective districts will be subject to their orders. Said officers will not resort to impressments whenever it may be practicable to purchase the wool at fair prices, not to exceed the rates fixed by the commissioners of impressments in said State.

Where the wool cannot be purchased the same may be impressed in accordance with the instructions and forms contained in General Orders, No. 37, dated Adjutant and Inspector General's Office, April 6, 1863, a copy* of which is herewith inclosed. Where details cannot be had, said district quartermasters will employ such additional force as may be necessary, but the number, name, and occupation of such employés must be reported through you to this department.

See p. 469.

You are hereby authorized to issue such further instructions to said quartermasters as may be deemed necessary to promote the objects in view.

A. C. MYERS,
Quartermaster-General.

(Letters similar to the above were sent to the following quartermasters, with this difference, directing them to obtain their wool from their respective States, as per address: Maj. J. L. Calhoun, quartermaster, Montgomery, Ala.; Maj. I. T. Winnemore, quartermaster, Augusta, Ga.; Maj. James Glover, quartermaster, Knoxville, Tenn.; Maj. L. Mims, quartermaster, care General J. E. Johnston, headquarters near Brandon, Miss.)

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., July 21, 1863.

D. H. KENNEY, Esq.:
(Care of Engineer Bureau, Richmond, Va.)

SIR: Having been appointed by the Chief of Engineers an agent for the purpose of purchasing or impressing the iron and rolling-stock belonging to the following roads, viz, the Alabama and Florida Railroad, of Florida; Gainesville Branch, Mobile and Ohio Railroad; Cahaba, Marion and Greensborough Railroad, and Uniontown and Newbern Railroad, the Department is interested that your duties should be accomplished successfully, and has therefore addressed you this letter, that it may be shown to the military authorities in the various departments to which your duty calls you, in order that they may render you whatever aid may be requisite to enable you to fulfill the wishes of the Department.

Respectfully,

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., July 21, 1863.

Hon. E. BARKSDALE,
Member of Congress, Mississippi:

SIR: Your letter to the President of the 27th ultimo has been referred by him to this Department for answer. The case of Louis Frinkel was sent to this Department by the commander of conscripts and upon an application by General Glenn. The decision of Judge Hancock is manifestly erroneous. The papers presented have been remitted to the camp of instruction, so that I can only speak of them from recollection. The recollection is that the substitute was put in a company that had never been organized and accepted in the Confederate service, and the substitute himself had since become liable to conscription. The only act of Congress relative to substitutes is embodied in this line of the conscription law of April, 1862: "That persons not liable to duty may be received for those who are, under such regulations as may be prescribed by the Secretary of War." No regulation has ever permitted the captain of an unorganized company to consider of a matter of substitution. On the contrary, they distinctly require the substitution to take place at the camp of the company after examination. A substitution allowed by a captain of an unorganized company is simply void. Shortly after the adoption of

the act of Congress allowing substitutions the Department published regulations. One of these is, no persons other than those expressly named or properly implied in the above act (act of exemption of April, 1862), except by furnishing a substitute, are exempt from military service, in conformity with regulations already published (Orders No. 29, April, 1862), and such exemption is valid only so long as the said substitute is legally exempt (Orders No. 19, May, 1862). Again, in another order (September 8), "a substitute becoming liable to conscription renders his principal also liable, unless exempt on other grounds." And still later (November 3, 1862), "in all cases in which a substitute becomes subject to military service the exemption of the principal, by reason of the substitution, shall expire." These orders are the form in which the regulations authorized by the act of Congress are promulgated. They form a part of the contract, or rather the conditions, on which the acceptance of the substitute in all cases are received into the service.

Some judges, apparently catching the distemper of the time to relieve from the burden of the military service that class of men who above all others are interested in carrying through a revolution commenced for the security of their rights and interests, have resorted to the most refined and astute discussions to dispense with these conditions. More than 50,000 persons are said to be exempt by putting in substitutes, and more than two-thirds of those who have been put in as substitutes are said to be deserters. In every State some local judges seem to have bestirred themselves to withdraw from the service all who by any subtlety could be released. A widespread disaffection has been the consequence, both in and out of the Army.

The Department has been forced to inquire into the extent of the jurisdiction of local judges to determine such questions. It is well known to you that the writ of habeas corpus was the favorite instrument by which the Abolitionists sought to defeat the fugitive slave law. In some cases they decided that law to be unconstitutional, and discharged from the custody of the Federal officers those who were held for violation of it. The Supreme Court of the United States decided that they had no authority thus to defeat the administration of the constitutional powers and duties of the Federal Government, and that their judgments were null and void. The Department has been unwilling, in a time of war and with a Government only partially organized, to raise questions that can only be properly determined in the calm of peace; but it cannot shut its eyes to the facts that local ideas and sentiments not arising out of the broad claims of the Confederacy have exerted a pernicious influence upon the organization of the Army and the measures of the Confederate Government for filling its diminished numbers to a proper standard. In this case it has instructed the Bureau of Conscription to direct an appeal from this decision, and to employ counsel competent to present to the Supreme Court the just claims of the Confederacy. The startling condition of things in Mississippi probably has prevented the execution of these instructions.

Very respectfully, your obedient servant,

J. A. CAMPBELL,
Assistant Secretary of War.

[JULY 21, 1863.—For Polk to Cooper, suggesting plan for the increase of the Army and the accumulation of reserves, &c., with indorsements, see Series I, Vol. XXIII, Part II, p. 921.]

[JULY 21, 1863.—For Bonham to Davis, in relation to the organization of troops under the President's call of July 15, see Series I, Vol. LIII, p. 292.]

BRITISH CONSULATE,
Savannah, July 22, 1863.

His Excellency Governor BROWN,
Marietta:

SIR: My attention has been called to your proclamation* and to General Wayne's General Orders, No. 16, attached thereto, ordering a draft on the 4th of August from persons between the ages of eighteen and forty-five years, including British subjects, in each county which does not furnish its quota of volunteers to complete the number of 8,000 men required for home defense. I am informed that this force when organized is to be turned over to the Confederate Government. British subjects, if drafted, will then be forced to become Confederate soldiers, a position in which Her Majesty's Government have, since the commencement of the war, contended they ought not to be placed, and from which Her Majesty's consuls have been instructed to use every means at their command to preserve them. Her Majesty's Government acknowledges the right of a foreign state to claim the services of British subjects resident within its limits for the purpose of maintaining internal order (in other words, to act as a local police force), and even, to a limited extent, to defend against local invasion by a foreign power the places of their residence; but they deny the claim to services beyond this, and accordingly I have given advice in the following sense to British subjects who have applied to me on the subject of this draft: That militia duty is in general an obligation incident to foreign residence, and that therefore they must not object to render the service required so long as the law requires a militia organization for the maintenance of internal peace and order; but if it shall so happen that the militia after being so organized shall be brought into conflict with the forces of the United States without being turned over to the Confederate States so as to form a component part of its armies, or if it should be so turned over, in either event the service required would be such as British subjects cannot be expected to perform. In the first case, in addition to the ordinary accidents of war, they would be liable to be treated as rebels and traitors and not as prisoners of war; and in the second case they would be under the operation of a law (requiring them to take up arms against the United States Government) which had no existence when for commercial purposes they first took up their residence in this country, and would, moreover, be disobeying the order of their legitimate sovereign, which exhorts them to an observance of the strictest neutrality and subjects them to severe penalties. For all local service, however, short of the service I have endeavored to describe, I have advised them that the militia organization is lawful, and should be acquiesced in by resident British subjects. Nearly all British subjects have besides taken an oath that they will not, under any circumstances, take part in the contest now raging in this country by taking up arms on either side. I hope, sir, you will therefore so modify the general order in respect of British subjects who have certificates from me as to release them from a position which, in the

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* See p. 639.

event of a draft, will certainly render them liable to all the penalties denounced by their own sovereign against a violation of their neutrality, calling upon them at the same time to render service as local police for the maintenance of internal peace and order. On a former occasion Mr. Molyneux advised you that the consulate was placed under my charge during his absence. I recently submitted my authority to act as Her Majesty's consul to Mr. Benjamin, who duly accorded to me his approval and recognition.

I am, sir, your most obedient servant,

A. FULLARTON,
Acting Consul.

RICHMOND, *July 22, 1863.*

Maj. R. P. WALLER,
Quartermaster, Richmond, Va.:

SIR: You will proceed without delay to Nassau, New Providence, and arrange for the transportation of all stores remaining at that port belonging to the Quartermaster's Department of the Confederate States. You are authorized to pay the freight on all such stores or to charter a vessel of the capacity of 150 tons, to be shipped to the port of Wilmington, N. C. A chartered vessel, after receiving all stores for the Quartermaster's Department, will be available, to the extent of her remaining capacity, for the transportation of public stores at Nassau belonging to any other department of the Government of the Confederate States.

Mr. Heyliger, commercial agent at Nassau, will be requested to designate the stores that shall be taken by the vessel in that event. Opportunities for you to embark are now offered at Wilmington and Charleston. You will communicate with Mr. Heyliger as soon as you arrive at Nassau. He will be requested to assist by all the means in his power and to forward your plans with all speed. The quick transportation of the quartermaster's stores at Nassau is all important. If delay is likely to occur at Nassau for the want of a vessel, stores may be sent to Bermuda and thence transshipped to Wilmington.

You are authorized to purchase all shoes and blankets, either at Nassau or Bermuda, that you may consider suitable for the Army, at any price you may think best for the interests of the Confederacy. It is left to your discretion to return with the stores direct from Nassau or to go to Bermuda to purchase such articles as you may think can be procured there for the Confederate States Government. You will in all things act to the best of your judgment for the best interests of the Confederacy. Expedition in executing the duty assigned you is of the greatest importance, and you are left entirely untrammeled to conclude your arrangements with this object in view.

In order to carry out the instructions given you above you will be provided with funds to the extent of $500,000 in cotton deliverable to your order at Wilmington or Charleston.

In the event that you can purchase valuable quartermaster's stores in Bermuda or Nassau, and find it impracticable to use your drafts based upon cotton at Wilmington or Charleston in payment therefor, you are authorized to charter a vessel for the carriage of the cotton from either of those places to the port at which it is desired to be landed on the best terms possible, as your judgment may dictate.

The Collie steamers Venus and Hebe are owned in part by the Confederate States. You will make use of these vessels in making all

your shipments should they be in port at Nassau or Bermuda before you conclude any arrangements with private vessels.

Maj. Norman S. Walker is the commercial agent of the Confederate States at Bermuda, to whom you will please announce yourself immediately on your reaching that place.

A. C. MYERS,
Quartermaster-General.

RICHMOND, *July 22, 1863.*

Mr. L. HEYLIGER,
Com. Agent, Confederate States, Nassau, New Providence:

SIR: Maj. R. P. Waller, quartermaster, C. S. Army, goes to Nassau under special instructions. He has been directed to communicate with you on his arrival and explain the purport of his visit. You will, I feel assured, give every aid to Major Waller to accomplish the object of his mission and hasten his return to the Confederate States. Should Major Waller charter a vessel of too much capacity for the supplies of the Quartermaster's Department, I request you to fill her up with stores belonging to other departments of the Government.

A. C. MYERS,
Quartermaster-General.

RICHMOND, *July 22, 1863.*

Maj. NORMAN S. WALKER,
Commercial Agent, Confederate States, Bermuda:

SIR: Maj. R. P. Waller, quartermaster, C. S. Army, goes to Bermuda under special instructions. He has been directed to communicate with you on his arrival and explain the purport of his visit. You will, I feel assured, give every aid to Major Waller to accomplish the object of his mission and hasten his return to the Confederate States. Should Major Waller charter a vessel of too much capacity for the supplies of the Quartermaster's Department, I request you to fill her up with stores belonging to other departments of the Government.

A. C. MYERS,
Quartermaster-General.

[JULY 22, 1863.—For Ford to Magruder, in relation to raising companies of old men and boys to enforce the conscript law in Texas, see Series I, Vol. XXVI, Part II, p. 119.]

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, Va., July 22, 1863.

A question has been submitted to the Bureau whether the rank of officers of a higher grade who may be temporarily assigned for duty in the service of conscription will conflict with that of the commandants of conscripts and of camps of instruction.

As the duties of the commandants, and the enrolling duties which may be performed within their jurisdiction by officers even of higher grades assigned to such special duty, are mostly of a civil nature, requiring experience and considerable legal knowledge on the part of

the former, and as the commissions of the commandants are permanent, the War Department has decided that mere technical rank will not necessarily take effect, and officers of any grade reporting for assignment to enrolling duty must be subordinate to the commandants assigned to the general direction.

Within the limits of camps of instruction organized as military posts relative rank necessarily takes effect.

G. W. LAY,
Lieut. Col., Asst. Adjt. Gen., Acting Chief of Bureau.

(To Commandants of Conscripts.)

SPECIAL ORDERS, No. 174. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., July 23, 1863.*

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XIII. Maj. Thomas L. Bayne, of the Ordnance Bureau, is designated as the immediate representative of the War Department in all that pertains to the running and management of steamers under the Collie contract. All communications relating to this subject will be addressed to him, and he will act upon them, communicating directly with the Secretary of War in relation to the same. He will also be specially charged with the general management of the Government steamers, under the direction of the Chief of Ordnance, as heretofore.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

AUGUSTA ARSENAL, *July 23, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War, Richmond:

SIR: The enemy being in force on the coast within striking distance (raid of cavalry) of this post, I conceived it important to get authority at the earliest moment to raise as large a local force in the city of Augusta as possible for its defense; hence the telegram requesting such authority was at once forwarded. The answer received this day from the Adjutant and Inspector General's Office in reply thereto does not meet, it appears to me, the exigencies of the case. It simply authorizes me to organize local companies under General Orders, No. 86, excluding all subject to detail and including Government employés. The county of Richmond, including the city of Augusta, was called on by Governor Brown for 400 men as its full quota under the call of the President for the State of Georgia under the order in question. Of this number probably about 300 will be from the city, a force too small to effect anything of moment for the defense of the place. To induce a larger force to offer their services for the protection of the public works here, I conferred with the mayor of the city and several of the chief citizens here, who are firmly of the conviction that unless some inducement be offered a larger number than that called for by the Governor will probably not be raised. The inducement which they judged sufficient to organize a force of probably from 600 to 1,000 men for the war, under Orders No. 86, was that such organizations should be guaranteed not to be removed from the city at any time

without their consent, but to be reserved especially and exclusively for the defense of the city of Augusta and the public works connected therewith. Such only are the terms on which the citizens will be mustered into service under the order in question beyond their quota, and to insure the number to 600 or more men it will be necessary to include those from forty to forty-five years of age and liable to conscription.

The extreme value of the city of Augusta, including the Government works, to the Confederacy is so apparent that it does not require that I should draw attention thereto. The main line of communication through Georgia, with Augusta at one end and Chattanooga at the other, may be justly regarded as the vertebræ of the Confederacy, or, in other words, a vital line which cannot be touched by the enemy without the most deplorable consequences arising, both morally and financially. The State of Georgia once paralyzed by its center line being occupied cuts the Confederacy in two parts without a possibility of communication between them. There are public interests involved in the city of Augusta to the extent of not less than $25,000,000, besides some $15,000,000 or $20,000,000 worth of cotton in private hands. The Government powder works have supplied during the past year over 1,000,000 pounds of gunpowder, forming the main supply to the country, and its capacity is beyond 10,000 pounds per day (the amount incorporated this day). Their loss would be severely felt. Most of the sulphur in the Confederacy is here stored, which could not be readily replaced. There are also the arsenal and machine and foundry works, of immense value to the country, and whose loss would be a great blow. The city is now virtually without a force to protect it and only 100 miles or less from a powerful enemy. If a local force cannot be raised, at least one regiment from the Army should be stationed as its garrison. I propose to raise the local force as the most economical way of protecting the Government interests here, but to do this the suggestions above alluded to must be guaranteed. If not, then the city and Government works must be defended by a garrison from the Army to insure their safety. Pocotaligo is only some ninety miles on the Charleston and Savannah Railroad from this city, whence a cavalry raid of 1,000 or 2,000 men could readily be thrown forward to this place, and in a few hours destroy many millions' worth of property besides the Government works, which could not be replaced.

I have at different times drawn the attention of the War Department to the defenseless condition of this city, and have exerted myself in every way possible to have some protection to the public interests here without success, and in the present effort to get a local force organized for its defense such restrictions are imposed as will certainly defeat the object in view. I beg my earnestness may be pardoned in this matter. Being on the spot and having traveled much through the country, I am fully aware of the great interests at stake in this section of the country. Overlooked by the enemy for a time, they have seen their error in operating on the extremities, and are now doubtless preparing to strike at the vital organs of the Confederacy in the State of Georgia. Augusta and Chattanooga should be held at every and all hazards. They cannot be lost without the loss of Georgia, and that would be fatal to the Confederacy.

Very respectfully, your obedient servant,

GEO. W. RAINS,
Lieutenant-Colonel of Ordnance.

[First indorsement.]

Respectfully transmitted to the Ordnance Bureau for the Honorable Secretary of War.

[Second indorsement.]

JULY 28, 1863.

Respectfully forwarded.

I cannot too earnestly urge upon the Secretary of War the views presented by Colonel Rains.

J. GORGAS,
Colonel and Chief of Ordnance.

[Third indorsement.]

SECRETARY OF WAR:

This letter presents very strong reasons for accumulating a force at Augusta for local defense. It might be provided that Atlanta, Macon, and Columbus should contribute their force to the defense of Augusta in case of necessity. These places are within eight or twelve hours by railroad, and the home defenders of these cities should be held for their mutual defenses.

J. A. C.

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT, BUREAU OF CONSCRIPTION,
Richmond, Va., July 23, 1863.

The same regulations will be observed in the payment of the tax imposed on overseers, exempted by the act of Congress approved May 1, 1863, as are required in the payment of the tax imposed on Dunkards, &c., laid down in General Orders, No. 82, of 1862, as follows, viz: That such persons "shall be exempt * * * on presenting to the enrolling officer a receipt from a bonded quartermaster for the tax of $500 imposed by act of Congress. * * * All assistant quartermasters to whom the said tax is rendered will receive and receipt for it, and pay the same into the Confederate States Treasury without unreasonable delay. The enrolling officer will receive the receipt and forward it to the commandant of conscripts, by whom it will be forwarded to the Quartermaster-General, who will charge the assistant quartermaster with the amount received by him."

This payment will of course be received by quartermasters at camps of instruction, as well as by any other bonded quartermasters.

G. W. LAY,
Lieut. Col., Asst. Adjt. Gen., Acting Chief of Bureau.

(To Commandants of Conscripts.)

CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT,
Richmond, July 24, 1863.

The PRESIDENT:

SIR: Inclosed herewith I have the honor to submit for your information the statements of Admiral Buchanan and Flag Officers Ingraham and Tucker relative to men for their several commands; and Flag Officers Lynch and Hunter are equally in want of men.

In view of the enemy's operations against Charleston, and his means of assailing Savannah, Mobile, and Wilmington, I have the

honor to suggest that the deficiencies in the crews of the vessels on those stations be immediately supplied by transfers from the Army, which I doubt not can be made without, to any appreciable extent, impairing its strength. The vessels at these points have not the men to fight their own guns and men to spare for any enterprises against the enemy. They cannot be obtained by voluntary enlistment, and there is no conscription for the naval service. I doubt not that if Flag Officer Tucker had a few hundred seamen, such as can be found in the Army and as have applied for service in the Navy, he could organize, by night and torpedo parties, a strong means of attack in Charleston Harbor.

With much respect, your obedient servant,

S. R. MALLORY,
Secretary of the Navy.

[Indorsement.]

JULY 30, 1863.

Secretary of War for attention and such relief as can be given. Prompt action is indicated by the statements contained in the inclosures (three in number*) herewith referred.

J. D.

[Inclosure No. 1.]

MOBILE, *July 16, 1863.*

Hon. S. R. MALLORY,
Secretary of the Navy, Richmond, Va.:

* * * * * * *

The vessels of the squadron are very short of their complements in consequence of discharges by medical surveys for disability and from desertions. Many of the vessels have not men sufficient to man their guns efficiently, and unless the Secretary of War permits the law to be carried out relating to transfers from the Army to the Navy our vessels cannot be manned. There are no men to be had at the conscript camps, as all the able-bodied men are at once sent to the various companies in the Army and are prohibited from joining the Navy. The War and Navy Departments have sent me copies of orders given to several men to report to me for duty; only one or two have reported. I have succeeded in procuring partially crews for the Tuscaloosa and Huntsville from the New Orleans refugees, but there are only two or three seamen among them; the others are landsmen, who, by constant training, have been made efficient at the "great guns." This is the sickly season here, and there is much sickness in the squadron among officers and men. In some instances nearly half the crews of the vessels are sick with intermittent fevers, dysentery, and other diseases. The hospital and receiving ship are full, and in consequence of the increasing sickness on board the iron-clads, which are always damp and unhealthy, I have hired a cotton warehouse to transfer the crews to temporarily, with a hope of checking the sickness.

I feel it to be my duty to give you this information, for the steamers Nashville and Tennessee are progressing and may be ready long before we can provide crews for them.

* * * * * * *

Very respectfully, your obedient servant,

FRANKN. BUCHANAN,
Admiral, &c.

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* There were three separate papers, but one of them contained two communications.

[Inclosure No. 2.]

OFFICE NAVAL STATION,
Charleston, July 20, 1863.

Hon. S. R. MALLORY,
Secretary of the Navy, Richmond, Va.:

SIR: It will be impossible to obtain a crew for the Charleston here. Not a man can be obtained, as the blockaders hold out such strong inducements for men to ship. The gun-boats are short and cannot obtain a man, and I do not think the Army has any men—seamen. The ones we obtained before were very inferior.

Very respectfully, your obedient servant,

D. N. INGRAHAM,
Captain, Commanding Naval Station.

[Inclosure No. 3.]

CHARLESTON, *July 18, 1863.*

Hon. S. R. MALLORY:

Your telegram received. Flag Officer Hunter sent us a detachment of officers and fifty men and has recalled them at this time, when most needed. I have replied to him and suggested a reference to you, and urge upon you the necessity of their being retained here. We are very short of officers and men for the vessels. We shall require both for the Charleston and torpedo ram and yet make a deficiency. If you could send some from Richmond it would be desirable. Very much in want of men and competent engineers.

J. R. TUCKER,
Flag Officer, Commanding.

[Inclosure No. 4.]

CHARLESTON, *July 19, 1863.*

Hon. S. R. MALLORY:

I informed you by telegraph yesterday that Flag Officer Hunter has telegraphed for the return of his detachment and of my reply suggesting a reference to you. This morning I received a peremptory order to return them, which I have done. This very much reduces our force. We require competent engineers, firemen, and men.

J. R. TUCKER.

MOBILE, *July 24, 1863.*

DEAR SEDDON: The disastrous movement of Lee into Pennsylvania and the fall of Vicksburg, the latter especially, will end in the ruin of the South without foreign aid in some shape. Mississippi is very nearly subdued and Alabama is nearly exhausted. By winter both States will be overrun. The policy of Grant burning and destroying all before him calculated to support life will end in starvation, and at an early day. We are without doubt gone up; no help can be had. I have ever believed that England and France would interfere to make the separation complete on condition that slavery was abolished; not without. If we are overrun, slavery will be abolished and we ourselves destroyed. Now, I greatly prefer the former to the latter condition. So would the country. It may be that England and France will not interfere on any terms, but all as yet do not know that. It may be that they will. All efforts ought to be made to ward off the disastrous fate that will follow their success over us, and it is high

time this effort was made, for I assure you that the loss of the Mississippi River, separating us entirely from the West; their immense army, with power now to increase it, owing to their success, to any amount, while ours is not only diminished but poorly fed, will end in our overthrow. The failure of the Government to re-enforce Vicksburg, but allowing the strength and flower of our Army to go North when there could be but one fate attending them, has so broken down the hopes of our people that even the little strength yet remaining can only be exerted in despair, and a slight change in the policy of Lincoln would end our revolution and hopes. If anything can be done on any terms in Europe, delay not the effort. If nothing can be, God only knows what is left for us. I write you this from no other reason than to exhibit to you the true condition of things here. I would not have you to speak of this to any one except the President. You may show it to him if you think proper.

Yours, truly,

E. S. DARGAN.

[JULY 24, 1863.—For Davis to Vance, in relation to the action of "the Union or Reconstruction Party" in North Carolina, see Series I, Vol. LI, Part II, p. 739.]

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT,
Charleston, July 24, 1863.

General G. T. BEAUREGARD,
Commanding Department:

GENERAL: Inclosed is a copy of my order to complete the organization at once, although temporary, in order to place the troops, when called, promptly in the field. Miles telegraphs me it will not be disturbed until the exigency has passed.

Respectfully, your obedient servant,

M. L. BONHAM.

[Inclosure.]

GENERAL ORDERS, No. 28.

STATE OF SOUTH CAROLINA,
ADJT. AND INSPECTOR GENERAL'S OFFICE,
Charleston, July 23, 1863.

I. The present exigencies of the service require the completion at once of the organization recently begun under the President's call upon the Governor of this State for 5,000 troops for service within the State for six months from the 1st of August next. It will not, however, arrest the enrollment of all conscripts up to forty-five, as required under his proclamation of the 15th July instant; but all such conscripts as are in service in or about Charleston, or as shall be called into active service in or near there, in their present organization, will be enrolled as conscripts, but remain with their present commands until the exigency has passed, and will then report at the Confederate camps of instruction. Such as may not be called before being enrolled into active service with their respective commands will comply at the date of enrollment with the said proclamation of the President. The privilege of selecting the companies of the Confederate service to which they choose to attach themselves, the Governor is authorized by the President to say, will not be forfeited by such enrollment.

II. An election for one colonel, one lieutenant-colonel, and one major in each regiment, in accordance with the subjoined arrangement, will

be held on the 31st instant at each beat muster ground by any two or more of the company officers within the usual hours. Immediately after the polls are closed the votes will be counted by the managers at each company poll, and a report of the result under their hands will be immediately made to this office in Charleston.

III. The troops thus organized will hold themselves in readiness to march at a moment's notice; each man to provide himself with a haversack and three days' cooked rations.

IV. All field officers of the militia and company officers of this organization are charged with the prompt extension and execution of this order.

The First Regiment will consist of the companies organized from First and Third (two companies) Regiments, Greenville District; Second and Fifth Regiments, Pickens District; Fourth and Forty-second Regiments, Anderson District; Sixth and Eighth Regiments, Abbeville District; Ninth Regiment, Edgefield District.

The Second Regiment will consist of the companies organized from Seventh and Tenth Regiments, Edgefield District; Eleventh and Forty-third Regiments, Barnwell District; Twelfth Regiment, Beaufort District; Thirteenth Regiment, Colleton District; Fourteenth Regiment, Orangeburg District; Fifteenth Regiment (two companies), Orangeburg and Lexington Districts; Thirty-ninth Regiment, Newberry and Lexington Districts.

The Third Regiment will consist of the companies organized from Sixteenth, Seventeenth, Eighteenth, and Nineteenth Regiments, Charleston District; Thirty-first Regiment, Williamsburg and Georgetown Districts; Thirty-second Regiment, Marion District; Thirty-third Regiment, Horry District.

The Fourth Regiment will consist of the companies organized from Twentieth Regiment, Sumter District; Twenty-first Regiment, Lancaster District; Twenty-second Regiment, Kershaw District; Twenty-third Regiment (two companies), Richland District; Forty-fourth Regiment, Clarendon District; Twenty-fourth (one company) and Twenty-fifth Regiments (one company), Fairfield District; Twenty-seventh Regiment, Chester District; Twenty-eighth Regiment, Chesterfield District; Twenty-ninth Regiment, Darlington District; Thirtieth Regiment, Marlborough District.

The Fifth Regiment will consist of the companies organized from Thirty-fourth and Forty-sixth Regiments, York District; Thirty-fifth Regiment, Union District; Thirty-sixth (two companies) and Thirty-seventh Regiments, Spartanburg District; Thirty-eighth Regiment, Newberry District; Fortieth and Forty-first Regiments, Laurens District; Forty-fifth Regiment, Union and Spartanburg Districts; Twenty-sixth Regiment, Chester District.

By order of the commander-in-chief:

A. C. GARLINGTON,
Adjutant and Inspector General of South Carolina.

EXECUTIVE OFFICE,
Chattanooga, Tenn., July 24, 1863.

Hon. JAMES A. SEDDON,
War Department:

SIR: Immediately upon the receipt of your requisition of [June 6] for 6,000 men for local defense and special service I issued the inclosed proclamation, under which a large number of companies were being

organized when the Army of Tennessee fell back from Shelbyville to the line of the Tennessee River, leaving all of Middle and West Tennessee within the enemy's lines, and cutting off the companies which were being formed in these divisions of the State. At present we have access only to the people of East Tennessee, about half of whom sympathize with our enemy. The recent order of the President calling out all men capable of bearing arms up to forty-five years of age, for the regular service, leaves us only such as are over that age. With our territory so much diminished and the call confined to that class over forty-five years of age (for, since the order of the President, I have excluded all parties under forty-five from this service, except such as are exempt from conscription), I have no hope of raising the 6,000 troops called for as volunteers within the time specified. Nor, indeed, can I raise that number of volunteers within the limits of East Tennessee at all; and under the laws of Tennessee I have no power to draft men over forty-five years of age for Confederate service.

Previous to the act of the Legislature of 1861–'62 men over forty-five years of age were not subject to military duty of any character. The act of that session (a copy of which I herewith inclose) authorizes the organization of all men between the ages of forty-five and fifty-five years into a military corps for State service.

I submit the facts and the law to your consideration for such suggestion as you may see proper to make in the premises, having every disposition to carry out the policy of the Government, whatever it may be, to raise all the troops possible for the defense of our territory and the maintenance of our cause. I shall proceed immediately to organize all within our lines between these ages who do not volunteer for local defense, and if you can suggest any legal means by which they can be drafted for Confederate service, I will promptly enforce the order for such number as you may require.

I shall have reported for duty by the 1st of August between 1,000 and 2,000 men raised under this proclamation. Where will they be armed and who will take command of this special service corps? I respectfully suggest the appointment of an officer with the rank of brigadier-general or colonel to take command and general supervision of this special-service corps of each State, and if this policy shall be adopted I respectfully suggest and recommend W. C. Whitthorne, the present adjutant-general of Tennessee, for the appointment in this State. He will make an efficient officer in organizing and commanding the force.

I shall be pleased to have your suggestions at your earliest convenience, so that I may carry them out to the fullest extent of my ability.

Very respectfully,

ISHAM G. HARRIS,
Governor, &c., of Tennessee.

[Inclosure No. 1.]

PROCLAMATION BY THE GOVERNOR OF TENNESSEE.

The President of the Confederate States has made a requisition upon Tennessee for 6,000 troops for the term of six months from the 1st of August next, under the provisions of an act of Congress entitled "An act to provide for local defense and special service," a copy of which is hereto appended.*

*See Vol. I, this series, p. 579.

These troops will be mustered into the service of the Confederate States, but held for the defense of their own homes, and in no event will they be ordered beyond the limits of this State.

This force must be composed of men over forty years of age, or such as from other causes are not liable to conscription, and if not raised by volunteering by or before the 1st day of August next, must be then immediately raised by a draft upon that part of the militia between the ages of forty and fifty-five years.

As volunteers you will have the right to organize your companies, battalions, and regiments by the election of such officers as you may prefer.

You will be permitted to remain at your homes engaged in your ordinary avocations until such emergency shall arise as to make it necessary to order you to the field.

You will be armed, and while on duty under orders will be paid and subsisted as other Confederate troops.

When the emergency which called you to the field shall have passed, you will be relieved from duty and return to your homes and ordinary pursuits, your pay and subsistence being stopped until you are ordered again to the field.

Volunteer companies, battalions, or regiments of infantry or mounted men who furnish their own horses will be accepted.

If drafted from the militia you will be placed in such infantry organizations as the authorities may deem best, and will most probably be continued on duty during the entire term of service.

The muster-rolls of volunteer companies must distinctly set forth that the company is raised for local defense and special service within the State of Tennessee for the term of six months.

You will return your muster-rolls to the adjutant-general of the State immediately upon the organization of a company of not less than sixty-four privates, with such officers as are required by law.

If said companies are organized into battalions or regiments previous to being mustered into service, they will elect their field officers; but if mustered into service as companies, the President will appoint battalion or regimental officers.

The enemy has shown that he fears to meet our gallant and invincible armies in the field unless he outnumbers us two or three to one.

He has therefore resorted to a system of raids upon unarmed neighborhoods for the purpose of devastating and pillaging the country, destroying our resources, and laying waste our homes.

Men of Tennessee! if you would resist these raids, predatory bands, and incendiaries of the enemy, organize at once and stand ready to repel or crush them.

If you would protect your private property, defend your wives and children, your personal liberty, your national independence, and your lives, organize at once and stand ready to strike for them.

Let the beardless boy and the hoary-headed father organize for the defense of their altars, their homes, and all that is dear to freemen.

Let the gallant men who have been disabled by the exposure and hardships of the camp or the casualties of bloody fields give to these new organizations the benefit of their experience and example.

Let every man who can wield a musket or draw a sword, who is so situated that he cannot swell the ranks of our Army for constant duty, organize at once for home defense and special service.

While I may justly claim, without the fear of successful contradiction, that Tennessee has already furnished to the Army of the Confederate States more troops in proportion to population than any State

in the Confederacy, and in proportion to numbers engaged upon most of our battle-fields Tennessee soldiers have bled even more freely than those of other States—much as she has already done in this struggle for national independence, I am proud to know that she is able and willing to do more, and that she will persevere to the end of the struggle, however long or bloody it may be.

I therefore appeal to you by every consideration of patriotism, personal interest, personal reputation, national independence, and the high character you have hitherto borne as citizens of the "Volunteer State" to rise up as one man, organize, rally to the standard of your Government, and in the majesty of your power make the invader feel that every hilltop bristles with the bayonets of freedom and every mountain pass has become a Thermopylæ.

Give him a new and stronger proof of the fact that we stand as a unit, deeply, solemnly, and irrevocably resolved on preserving independence at any and at every cost; that the march of the invader and the rule of despotism will be resisted at every step now and forever as long as there is a man or a boy in Tennessee who can pull a trigger, wield a blade, or raise a finger in defiant resistance.

With this spirit prevailing our whole people, under the providence of a just God, we will at no distant day be blessed with independence, peace, and prosperity.

In testimony thereof I have hereunto signed my name and caused the great seal of the State to be affixed, at Winchester, on this the 22d day of June, A. D. 1863.

[SEAL.] ISHAM G. HARRIS.

By the Governor:

J. E. R. RAY,
Secretary of State.

[Inclosure No. 2.]

AN ACT to amend an act to raise, organize, and equip a provisional force, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the white male population of the State between the ages of eighteen and forty-five shall constitute the reserved military corps thereof. Said corps shall be organized and called into service, and shall be subject to duty upon the call of the Governor; and this organization of the reserved corps shall continue for and during the existence of the war now being waged with the United States. That all the able-bodied white male population of this State between the ages of forty-five and fifty-five years shall be organized under the provisions of this act into a military corps for the defense of the State; but said corps, or any portion of it, shall not be called into actual service until after all of the reserved corps provided by this act shall have been called into actual service; nor shall this corps be called into actual service for a longer period, at any one time, than six months, nor be transferred, or detailed, or drafted into the service of the Confederate States. And after this corps shall be organized they may determine the times and places of their company, battalion, and regimental drills.

* * * * * * *

Passed March 18, 1862.

E. A. KEEBLE,
Speaker of the House of Representatives.
EDWARD S. CHEATHAM,
Speaker of the Senate.

71 JERMYN STREET, LONDON, *July 24, 1863.*

Col. J. GORGAS,
Chief of Ordnance, Richmond:

COLONEL: I expect to dispatch supplies for Texas at an early day. Will you please give orders to have 3,000 bales of cotton held subject to my orders; and since the ship carrying the supplies will not contain space enough for all the cotton required for payment, if some of the cotton can be dispatched by sailing ship to Liverpool such an arrangement will facilitate my transactions. My dispatching of the supplies will not be delayed for the arrival of the cotton, but it will strengthen my hands very much to have an amount of cotton on the way to England at the same time that supplies are on the way to Texas from England. I am aware of some supplies being sent by private contractors. The arrangements I have made will deliver the supplies at Matamoras at less than one half the cost of the former.

I am, in haste, your obedient servant,

CALEB HUSE.

ARMY OF TENNESSEE,
Near Chattanooga, Tenn., July 25, 1863.

General S. COOPER,
Adjutant and Inspector General:

SIR: We, the undersigned officers of the Confederate Army, being deeply impressed with the belief that unless the ranks are speedily replenished our cause will be lost, and being thoroughly satisfied that there is enough of able-bodied young men out of the service to accomplish that object, would earnestly implore the President of the Confederate States to take prompt measures to recruit our wasted armies by fresh levies from home. The wisdom of the Executive must decide whether this can better be done by calling upon the respective States for enlarged quotas of troops or by assembling the Congress of the Nation so to modify the exemption provision in the conscript bill as to increase the Army without interfering materially with the great interests of the country. The whole system of exemption is based upon a false assumption. It is assumed that none of the machinery of society, necessary for its comfort and convenience in a state of peace, is to be disturbed amidst the mighty upheaval of a great revolution. Thus, for example, we find multiplied rather than diminished rural post-offices and printing presses, which add doubtless to the comfort and convenience of the people, but contribute nothing to our success in arms. In like manner there is an enormous disproportion between the absolute wants of the people and the number of "shoemakers, blacksmiths, tanners, wagon makers, millers and their engineers, millwrights, skilled and actually employed at their regular vocation in said trades," the agents and employés of the different bureaus, departments, railroad and telegraph companies, &c.

We have been pained to notice that all those vocations are crowded which afford exemption, while the ranks of the Army are daily becoming thinner. To their lasting reproach upon their manhood, hearty vigorous young men, rather than take the field, eagerly seek fancy duty which could be performed by women or disabled soldiers.

But we especially deplore that unfortunate provision of the exemption bill which has allowed more than 150,000 soldiers to employ substitutes, and we express our honest conviction that not one in a hundred of these substitutes is now in the service. In numerous instances fraudulent papers were employed, in others diseased men

were presented and accepted but to be discharged; in still more cases vicious and unprincipled substitutes were bought up but to desert at the first favorable moment.

Another heavy source of depletion to the Army cannot be passed over. The friends of timid and effeminate young men are constantly besieging the War Department, through Congressional and other agents, to get soldiers in the Army placed upon details or transferred to safe places. The aggregate loss to the Army from this cause alone is most enormous.

We do know certainly that the detailed and exempted men under forty-five exceed a quarter of a million of men; and we think that the Army can be increased a quarter of a million without more suffering and inconvenience to the country than is to be expected in such a life and death struggle as we are engaged in. Certainly there should be no choice between temporary discomfort to society and the loss of battles, territory, posts, garrisons, and even independence itself.

Certainly the sum total of misery would be less, if we even resorted to a levy en masse and thus could drive back the invader, than by allowing ourselves to be beaten in detail and our soil everywhere to be overrun. In the vain hope of saving the people at home from transient annoyances and privations we are endangering the liberties of the country.

Lastly, we would respectfully but earnestly urge prompt action. With every inch of territory lost, there is a corresponding loss of men and the resources of war. Conscripts cannot be got from the region held by the Yankees, and soldiers will desert back to their homes in possession of the enemy. Some do so from disaffection, some from weariness with the war, and some to protect their families against a brutal foe. From these combined causes the occupation of our soil weakens us in men as well as in the means to feed and clothe our troops.

Early and vigorous measures to recruit our wasted ranks may save us further loss of men and resources, and possibly the existence of the Southern Confederacy itself.

Very respectfully, your obedient servants,

H. D. Clayton, brigadier-general; Wm. B. Bate, brigadier-general, Provisional Army, C. S.; P. R. Cleburne, major-general; Jno. C. Brown, brigadier-general, Provisional Army, C. S.; M. P. Lowrey, colonel, commanding Wood's brigade; Alex. P. Stewart, major-general; L. E. Polk, brigadier-general; St. John R. Liddell, brigadier-general; J. M. Withers, major-general (signed by request); T. J. Churchill, brigadier-general; D. H. Hill, lieutenant-general; L. Polk, lieutenant-general; Z. C. Deas, brigadier-general; O. F. Strahl, colonel, commanding brigade; John C. Carter, colonel, commanding brigade; Preston Smith, brigadier-general; A. M. Manigault, brigadier-general, Provisional Army, C. S.; Braxton Bragg, general, C. S. Army.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., July 25, 1863.

His Excellency JOSEPH E. BROWN,
Governor of Georgia:

Your letter of the 10th instant has been received. The difference between yourself and this Department upon the subject of the right

of the Fifty-first Georgia Regiment to elect their officers depends upon the fact whether this regiment composes a part of the militia of the State of Georgia. If the regiment be a portion of the militia "employed in the service of the Confederate States" the appointment of the officers is reserved to the State; otherwise not. The company muster-rolls of this regiment on file in the office of the Adjutant and Inspector General are entitled "Muster-roll of Captain ———'s company in the Fifty-first Regiment of Georgia Volunteers, commanded by Col. William M. Slaughter, called into the service of the Confederate States in the Provisional Army, under the provisions of the act of Congress, by Governor Joseph E. Brown, from the 4th of March, 1862 (date of the muster), for the term of three years, unless sooner discharged," and the muster corresponds with this title. This shows that this regiment was composed of volunteers who were enlisted as a part of the Provisional Army of the Confederacy under the supervision of the Governor of Georgia.

The legislation of the Confederate States will very clearly exhibit that troops of this description have not been regarded as belonging to the militia. By the act of February 28, 1861, to raise provisional forces for the Confederate States of America, the Congress enacted:

That to enable the Government of the Confederate States to maintain its jurisdiction over all questions of peace and war, and to provide for the public defense, the President be, and he is hereby, authorized and directed to assume control of all military operations in every State, having reference to or connection with questions between said States, or any of them, and powers foreign to them.

The third section of the act is—

That the President be authorized to receive into the service of this Government such forces now in the service of said States as may be tendered, or who may volunteer, by consent of their States, in such numbers as he may require, &c.

The fourth section is—

That such forces may be received with their officers by companies, battalions, or regiments, and when so received shall form a part of the Provisional Army of the Confederate States, according to the terms of their enlistment; and the President shall appoint, by and with the consent of Congress, such general officer or officers for said forces as may be necessary for the service.

The fifth section provides—

That said forces, when received into the service of this Government, shall have the same pay and allowances as may be provided by law for volunteers entering the service, or for the Army (Regular) of the Confederate States, and shall be subject to the same rules and government.

Your Excellency must perceive that the Fifty-first Georgia Regiment stands upon exactly the same footing as the troops tendered by the States or volunteering under this act, and that this act contains not the slightest intimation that the troops received under it were received as State militia. There is a direct provision that a portion of the officers shall be appointed by the President.

The act of Congress of the 6th of March, 1861, authorizes the President to employ the militia, military, and naval forces of the Confederate States and to ask for and accept the services of any number of volunteers, not to exceed 100,000, &c. The fifth section of that act permits the President to accept the services of the volunteers in companies, squadrons, battalions, and regiments, whose officers shall be appointed in the manner prescribed by law in the several States to which they shall respectively belong. But when inspected, mustered, and received into the service of the Confederate States said troops

shall be regarded in all respects as a part of the Army of said Confederate States according to their respective enlistments.

The President was authorized to organize the companies into superior organizations at his discretion and to appoint brigade and division officers. It was supposed that these volunteers would be raised through the different States, for by the act of 11th of May, 1861, he was authorized to receive volunteers directly without the formality and delay of a call upon the States. In this act there is a broad discrimination made between the volunteers and militia, and the terms of the act forbid the conclusion that the volunteers obtained through the instrumentalities of the States were to be regarded as militia "employed in the service of the Confederate States." The act of the 23d of January, 1862, under which the Fifty-first Georgia Regiment was called into the service, has immediate relation to the act of March 6, 1861. The object of that act was to obtain from the States the complement of the troops authorized by the act of March, 1861, by appointment among them and requisition upon their public authorities. The conditions upon which the troops were to enter the service were prescribed in that act. These were that "the said troops shall be regarded in all respects as a part of the Army of the Confederate States according to the terms of their respective enlistments," and as before shown they were mustered into service conformably to these conditions.

Forming as they did a part of the Army of the Confederate States, they became subject to the authority of Congress, who were authorized by the Constitution "to make rules for the government and regulation of the land and naval forces." Among the rules and regulations proper on this subject are those relating to the selection and promotion of officers.

The act of Congress of March 6, 1861, provided for the organization of the volunteer troops then called for by adopting the State regulations. The acts of the fourth session of the Provisional Congress (acts of December 11, [1861,] January 22, and January 27, 1862) provided a rule of promotion in regard to a portion of those troops who were about to re-enlist. The acts of the 16th of April, 1862, and 21st of April, 1862, made a rule applicable to the entire Provisional Army, and this rule was repeated in the act of October 13, 1862. The conscription acts of April and October have been the source from which the Army has been recruited for more than fifteen months. It is probable that one-half of those who now compose the Fifty-first Georgia Regiment have come into it through the agency of these acts. This regiment and others accepted under the same conditions are regarded by the Department since their acceptance by the Confederate States as a part of the Provisional Army, and therefore to be recruited by the agency of the Confederate States. The rule of promotion prescribed by Congress is one uniform in its operation; was adopted after the experience and observation of a year, and clearly embodies the judgment of Congress as the mode best calculated to insure the selection of competent officers. It is unnecessary in this inquiry to undertake a definition of what the meaning of the term militia is. Neither the acts of Congress of the United States prior to the separation of the Confederate States nor the acts of Congress of the Confederate States have regarded as militia volunteers who have come into the service of the Federal Union or the Confederate service to form a portion of the Army upon which they rely for the common defense, and it would be difficult, in the

opinion of this Department, to assign a meaning to the term that would properly embrace such troops.

The postscript to the letter of Mr. Benjamin of the 16th of February, 1861, quoted by you, seems to refer to the original organization of the troops prior to their muster and before their acceptance into the Confederate service; and the practice since their acceptance, if inconsistent with the opinions expressed in this letter, was probably a transient or casual toleration of an existing opinion without a full consideration of the import of the legislation of the Congress of the Confederate States. After a careful consideration of that legislation I do not feel that I have any authority to dispense with its conditions, however agreeable it might be to conform to the wishes of those who have maintained this opinion. Notwithstanding my deference to the views of Your Excellency, I must conform my official action to what I conceive the clear mandate of the law.

With high esteem, very respectfully, yours,

JAMES A. SEDDON,
Secretary of War.

STATE OF NORTH CAROLINA, EXECUTIVE DEPT.,
Raleigh, July 25, 1863.

Hon. J. A. SEDDON,
Secretary of War:

DEAR SIR: A large number of deserters, say 1,200, are in the mountains and inaccessible wilds of the west. I have found it impossible to get them out, and they are plundering and robbing the people. Through their friends they have made me propositions to come out and enlist for defense of this State alone. Shall I accept it? The effect on the Army might be injurious, but they can never otherwise be made of service or kept from devastating the country. If you advise favorably, I think I can get at least 1,000 effective men. Please answer soon.

Very respectfully, your obedient servant,

Z. B. VANCE.

[Indorsement.]

SECRETARY OF WAR:

There is a great necessity for some practical dealing with the crime of desertion, if so general a habit is to be considered a crime.

There are from 50,000 to 100,000 men who are in some form or other evading duty. Probably there are 40,000 or 50,000 of absentees without leave. The accommodation of the Department to the necessity of the case is, in my judgment, the best policy. To allow those who belong to other organizations than those in which they enlisted to remain, to allow all persons not in the Army to connect themselves with new organizations, to pronounce a general amnesty, and to make a new departure seems to me a measure of prudence under the existing circumstances. I notice that desertion during the French Revolution was a great source of complaint. There were at one time 12,000 on furlough, and there had been ten times that number of desertions.

[J. A. CAMPBELL.]

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, Va., July 25, 1863.

The appointment of drill-masters and enrolling officers being only temporary and not requiring confirmation by the Senate, their services can be dispensed with at any time and their appointments revoked.

When the duties of conscription cease to require the services of any such officer, in any case of neglect of duty, disobedience of orders, or other misconduct, the facts will be reported to this Bureau, that the case may be presented to the appointing powers and the appointment of the officer revoked.

G. W. LAY,
Lieut. Col., Asst. Adjt. Gen., Acting Chief of Bureau.

(To Commandants of Conscripts.)

GENERAL ORDERS, No. 102. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, July 26, 1863.

I. General Orders, No. 36, current series, is hereby revoked.

II. The superintendent of the Niter and Mining Bureau is authorized to pay, from the funds appropriated for the expenses of said Bureau, the actual traveling expenses of officers of the same on duty, under orders, in lieu of any commutation for the time of rations and forage.

By order:

S. COOPER,
Adjutant and Inspector General.

[JULY 26, 1863.—For Vance to Davis, in relation to state of feeling in North Carolina toward the Confederate Government, &c., see Series I, Vol. LI, Part II, p. 740.]

GENERAL ORDERS, No. 103. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, July 27, 1863.

I. When the supply of salt is adequate and fresh meat is issued oftener than thrice a week, the salt ration will be fixed at three quarts to the hundred rations.

II. Commanding officers have no authority to alter or fix the ration established by the Secretary of War.

III. Quartermasters at supply depots will respect the requisitions made by quartermasters receiving taxes in kind for grain sacks.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 1. HDQRS. VOL. AND CONS. BUREAU,
DEPARTMENT NO. 2,
Marietta, Ga., July 27, 1863.

The undersigned having been, by order of General Joseph E. Johnston, in obedience to an order of the Secretary of War, placed in charge of the conscript service in Department No. 2, and the officers

and agencies of the Conscript Bureau of the Government within the States of Tennessee, Alabama, and Mississippi having been by the Secretary of War transferred and assigned to duty under me as superintendent of conscripts for this department, it is ordered that those officers and the organizations as heretofore existing within this department will continue their labors without change until otherwise ordered. The President, by his proclamation, having called out all men liable to duty under the conscript law to the age of forty-five years, all such are required to report themselves for duty to the enrolling officers of their respective districts or to the officers of the recruiting bureau. Upon so reporting they will be received and enrolled as volunteers. If they fail so to do until arrested they will be enrolled as conscripts. In addition to the camps of instruction established by orders of the War Department and now existing in the States composing this geographical department, the system of rendezvous established by the chief of the bureau of the Army of Tennessee will be continued. The officers engaged in the last-named organization belonging to the Army of Tennessee, and subject to be withdrawn from this bureau by the exigencies of the service, will not for the present be blended with the former organization. The two corps of officers will work in their respective spheres and under the orders heretofore existing. Both organizations will arrest all deserters and stragglers, receive all volunteers who tender themselves, and will arrest all conscripts between the ages of eighteen and forty-five. The commanders of rendezvous will furnish the commandants of conscripts for their States with the names and descriptive lists of all conscripts by them arrested and sent to the army. Each class of officers will respect the decisions of the other, and while engaged in the same labor will avoid all conflicts. Should any collisions of authority occur they will be referred to the common superior directing the operations of both corps. Each organization will keep a record of its proceedings, and will make weekly reports to the general superintendent of both organizations.

The hopes of the country depend upon the labors of this bureau in strengthening the armies of Tennessee and Mississippi. No higher motive to exertion could be presented to the patriot soldier. We have the population required for this purpose, and it is our duty to put it in these armies. Proper efforts will accomplish it and deliver our country from desolation and despotism.

GID. J. PILLOW,
Brigadier-General, C. S. Army, and
Supt. Volunteer and Conscript Bureau, Dept. No. 2.

GENERAL ORDERS, No. 2.

HDQRS. VOL. AND CONS. BUREAU, DEPARTMENT NO. 2,
Marietta, Ga., July 27, 1863.

I. All officers acting under orders of commandants of conscripts, and all officers acting under orders of commanders of rendezvous, in this geographical department, are instructed to arrest and send to their respective regiments all stragglers and deserters; likewise the officers of both organizations will arrest all men liable to duty under the conscript law between the ages of eighteen and forty-five years who have not legal exemptions, and who fail voluntarily to report themselves for service.

II. No furloughs will be granted to conscripts. To those who report themselves as volunteers a few days (not exceeding five) will be allowed to make the preparation necessary for entering the service.

III. Those arrested as conscripts will be examined by a surgical board, and if received as competent will be enrolled as conscripts.

IV. Commanders of rendezvous who have no examining board for conscripts may engage the services of competent surgeons or private physicians, who will be governed by the instructions in orders of the inspector-general of the army, copies of which will be furnished.

V. Officers of the rendezvous operating in the neighborhood of camps of instruction, arresting conscripts, will turn them over to such camps; and officers of camps of instruction operating in the neighborhood of rendezvous, arresting deserters and stragglers, will turn them over to the nearest rendezvous.

VI. Quartermasters and railroad officers will furnish transportation to the officer having this order, and upon his order to such men as he may send to the army.

By order of Brigadier-General Pillow, superintendent of bureau:

JNO. C. BURCH,
Assistant Adjutant-General.

HEADQUARTERS FIRST DISTRICT,
DEPARTMENT OF MISSISSIPPI AND EAST LOUISIANA,
Columbus, Miss., July 27, 1863.

Col. B. S. EWELL,
Assistant Adjutant-General:

COLONEL: In view of the urgent necessity which now exists requiring the enrollment into Confederate service of every able-bodied citizen between the ages of eighteen and forty-five, as made evident by the late proclamation of the President ordering said enrollment, I have the honor to state for the information of the department commander:

First. That in portions of the First Military District, especially the northern, the State organizations are composed to a great extent of men subject to conscription, *i. e.*, between the ages of eighteen and forty-five.

Second. That a mutual understanding has existed, if it does not now exist, between the State Executive and the Confederate department commander, based on orders from the War Department, allowing the State to retain all conscripts in existing State organizations until their disbandment, which has enabled the State to absorb most if not all the conscript material in northern portion of this district, the conscripts claiming exemption from Confederate enrollment because of belonging to the nominal organizations recognized by the State as regiments, battalions, companies, &c.

Third. To facilitate the complete enrollment up to forty-five, as called for by the President, and inasmuch as the regimental and battalion organizations in northern portion of district—viz, Smith's regiment and Ham's battalion, classed strictly as State troops—have virtually disbanded, no inspecting officer having been able to identify them as sufficiently legal to authorize my receiving them into Confederate service when turned over by the Executive through its major-general, I have the honor to recommend that steps be taken to cause such modifications as may be necessary to allow all men subject to

conscription, irrespective of State organizations, to be enrolled as conscript law prescribes, directly into Confederate service, either through the camps of instruction or by the commanders of the various Confederate military organizations, they remanding all conscripts not allowed to join their respective organizations to the camps of instruction for proper distribution.

Fourth. The commanding general will perceive the necessity which exists of sending a quartermaster and commissary supplied with funds and authorized to liquidate all claims against the Confederate Government, coming under these departments in Northeastern Mississippi, which have arisen under the commands of Generals Beauregard, Bragg, Price, and Van Dorn. I would also suggest the propriety of paying promptly all outstanding obligations for horses, mules, and supplies recently incurred.

Fifth. The above suggestions are deemed appropriate to maintain unimpaired the credit of the Government among a people generally possessed of small means and to enable the easy procurement of supplies in the future.

Very respectfully, your obedient servant,

DANIEL RUGGLES,
Brigadier-General, Commanding District.

[JULY 27, 1863.—For Lee to Davis, suggesting methods to promote an increase of the Army, see Series I, Vol. XXVII, Part III, p. 1040.]

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 104. } *Richmond, July 28, 1863.*

I. Officers of engineer troops, having been selected for appointment with special reference to their qualifications as engineers, will be respected as such, and their duties, when serving in the field, camp, or cantonment, will embrace all that are enumerated in paragraph III, General Orders, No. 90, current series, "as the duties of officers of engineers serving with armies of the Confederate States."

II. On the march engineer troops will serve as pioneers, constructing and repairing roads and bridges, and removing impediments to the advance of our forces, or delaying the enemy, by breaking up roads, destroying bridges, and otherwise obstructing his communications. They will also be employed in making rapid reconnaissances and surveys of the country occupied or marched over by the army; preparing sketches and maps of the roads and topographical features; laying out camps, and intrenching military positions. During battle they will be held in reserve, and used as circumstances may demand, either in their special duties, or as infantry. Under the command of their officers they may be employed in the construction of ovens for baking bread, and other works requiring mechanical skill, but not on mere police duty, or the like, unless connected immediately with their own organization; nor are they to be employed altogether on mere fatigue service; but once instructed in the duties of the engineer soldier, they will be frequently employed in laying out works, and also in aiding and directing the labors of other troops detailed for their construction.

III. Whenever practicable, engineer troops will be drilled and instructed in the duties of engineer soldiers, by battalions and regi-

ments—and to this end all the companies serving with an army will be habitually kept together; but such temporary assignments of companies to divisions or otherwise will be made by the commanding general as will, in his judgment, best comport with the interests of the service. The Ordnance Department will furnish light arms to these troops; but until they can be supplied, infantry muskets will be used. Intrenching tools and other implements will be issued by the Engineer Department.

IV. Each company of the engineer troops shall be provided by the Quartermaster's Department with at least two wagons and teams of four animals each, for transportation of company equipage, intrenching tools and other implements; one ambulance or other light vehicle, with a team of two horses, for carrying surveying instruments, stationery, maps, drawing-boards, and other fixtures; and twelve additional horses, with saddles, bridles, and harness, to be used by the officers and non-commissioned officers in making rapid examinations of country, or for hauling materials needed for prompt repair and construction of bridges, roads, and other works.

V. When officers of the Corps of Engineers and of engineer troops are engaged on the same service, the senior officer present shall control in all questions relating to the location and construction of defenses, and to engineering works generally connected with the army, unless for special reasons it be decided otherwise by the commanding officer; but should the recommendations and plans of a junior officer be adopted, the directions of the commander will not be communicated through him to the senior engineer officer, whether of the corps or troops, but through the usual channel of orders. Officers of the Corps of Engineers will not assume the command of engineer troops. In all cases they will be under the command of their own officers.

By order:

S. COOPER,
Adjutant and Inspector General.

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, Va., July 28, 1863.

In addition to the matters set forth in the letter from this Bureau to the Adjutant and Inspector General of June 24, and approved by the War Department, for the arrest of deserters, stragglers, and evaders of conscription, commandants of conscripts in Virginia, North Carolina, South Carolina, and Georgia will so arrange in receiving from the State authorities the portions of organized militia liable to conscription as to employ these forces before being brought to any camp or rendezvous, forthwith and simultaneously, in their respective districts or counties in gathering up deserters, stragglers, and evaders of conscription. Care will be taken in executing these instructions to prevent the escape of such parties into one county while the search is being prosecuted in another. The commandants will apply to the State authorities to facilitate this object by turning over the parties of militia, each in their respective county or district, simultaneously in all parts of the State.

G. W. LAY,
Lieut. Col., Asst. Adjt. Gen., Acting Chief of Bureau.

(To Commandants of Conscripts.)

[JULY 28, 1863.—For E. Kirby Smith to Cooper, in relation to the call for and enrollment of conscripts in the Trans-Mississippi Department, and for a meeting of the Governors of the States west of the Mississippi at Marshall, Tex., on August 15, see Series I, Vol. XXII, Part II, p. 949.]

[JULY 28, 1863.—For Davis to Lee, in relation to measures for maintaining the strength of the Army of Northern Virginia, see Series I, Vol. LI, Part II, p. 741.]

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, July 28, 1863.

Hon. J. A. SEDDON,
Secretary of War, Richmond, Va.:

I beg leave to suggest most respectfully the propriety of your forbidding positively the officers of the Government engaging in speculations on private account. Many of them have been engaged in it here to the great detriment of the community and the public service. In addition to the temptation it offers for the misapplication of the public funds, it is corrupting in its tendencies, assists in upholding prices, and excites universal prejudice in the community. It should be absolutely prohibited, in my opinion. Pardon me.

Very respectfully, your obedient servant,

Z. B. VANCE.

HDQRS. VOL. AND CONSCRIPT BUREAU, DEPT. NO. 2,
Marietta, Ga., July 28, 1863.

Col. BENJAMIN S. EWELL,
Assistant Adjutant-General:

Under the orders of General Johnston I am directed to superintend and direct the enforcement of the conscript law in Tennessee, Alabama, and Mississippi. The officers of the Richmond Bureau in these States having been placed under my orders, I have commenced work. There are, I think, from 8,000 to 10,000 deserters and tory conscripts in the mountains of Alabama, many of whom have deserted the second, third, and (some of them) the fourth time. They cannot be kept in the army so near their homes. As fast as I catch them and send them to the army they desert and bring off their arms and steal all the ammunition of their comrades they can bring away. These deserters and the tory conscripts, for mutual protection against my officers, have banded together and are as vicious as "copperheads." They have killed a number of my officers and in several instances have driven small bodies of cavalry, acting under my orders, from the mountains. It is useless to send them back to the Army of Tennessee. From Virginia they could not so easily return. By filling up the Alabama regiments in the Army of Virginia they would render the general service as much aid. I therefore apply for authority to send them to the Army of Virginia. The application amounts to a transfer of these deserters from Alabama regiments of the Army of Tennessee to Alabama regiments in Virginia. The President has the power to do this. Tennessee has nearly all passed (with her population) from our control. A very large portion of Mississippi has also. From these portions of Tennessee and Mississippi yet within our lines it is almost impossible to get the men out and into our army.

They hide and dodge in the thickets and swamps and mountains, and when hard pressed they run into the enemy's lines to elude capture by my officers.

The population of Central and Southern Alabama are nearly all in the Army who are liable. The largest portion of the population remaining to be gathered up are in the mountains of Northern Alabama, and, for the reasons already explained, I propose to send them to the Army of Virginia. You perceive, therefore, that the means of building up the Army of Tennessee and that of Mississippi are most inadequate. Indeed, without authority to draw from other sources than this department, I regard it impossible materially to strengthen those armies. I therefore ask for authority to embrace Georgia in the work of the bureau of this department. To gather up the tory conscripts and stragglers in the mountains of Alabama will require a considerable supporting force of cavalry. All small detachments of cavalry sent into the mountains on this duty are driven out or killed off. I cannot get an adequate force from General Bragg's army. It cannot well be spared. Besides, to be efficient on this duty the detail ought to be permanent. One hundred men who have been on this duty long enough to understand it will do more than 300 freshly detailed troops. I therefore ask the orders of the Government upon the Governor of Alabama to turn over to this bureau one regiment or ten companies of mounted men of the troops called out for local defense. If I am properly supported by the Government I will clear out these mountains of tories and deserters. If not, my labor will profit the general service but little.

Respectfully,

GID. J. PILLOW,
Brigadier-General, C. S. Army, and
Supt. Volunteer and Conscript Bureau, Dept. No. 2.

General S. COOPER,
Adjutant-General:

This letter was written to pass through General Johnston, as I had not until this morning received your telegram. I will forward him a copy advising him that by your permission I have sent the original direct to you. I most earnestly ask the approval of the President to its suggestions. Time is now of the highest importance. Georgia has 25,000 to 30,000 men liable to duty. She is full of able-bodied men, who have slipped through the hands of Government, and of refugees. If allowed to comprehend Georgia in my operations, and if sustained and properly supported by detachments of cavalry, I will build up the armies of Tennessee and Mississippi. If confined to the other States, for the reasons explained, the prospect is gloomy enough.

Respectfully,

GID. J. PILLOW,
Brigadier-General, C. S. Army, and
Supt. Bureau of Volunteers and Conscripts, Dept. No. 2.

HEADQUARTERS CAVALRY BRIGADE,
Pontotoc, Miss., July 28, 1863.

Lieut. Gen. W. J. HARDEE:

* * * * * * *

The bungling attempt to raise State troops to be mustered into the Confederate service in North Mississippi seems to accomplish nothing

more than furnish a poor excuse for hundreds of men to avoid conscription. Companies are formed and reported, but cannot be found when the time appointed for muster arrives. In the contest for office and promotion the officers raising them make their companies asylums for deserters from every portion of the Army. The central and northern counties of this State and the northern counties of Alabama are full of deserters, who cannot be caught while these unmustered companies are desirous of securing their services to swell their ranks.

S. W. FERGUSON,
Colonel, Commanding.

[First indorsement.]

MORTON, *August 2, 1863.*

Respectfully submitted for information of the War Department, in connection with my recent suggestion to revoke the order authorizing conscripts to remain in State service.

J. E. JOHNSTON,
General.

[Second indorsement.]

Respectfully submitted to the Secretary of War.

H. L. CLAY,
Assistant Adjutant-General.

[Third indorsement.]

There was a communication from the commander of conscripts in Mississippi to the same effect. He stated that the militia officers were enrolling men subject to conscription, and that the militia troops were undisciplined and untrained. This was referred to General Pillow with a recommendation that he represent the facts to the Governor and invite his co-operation with the Confederate officers.

This letter indicates the same evil, and the correction is suggested.

J. A. C.

JULY 29, 1863.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

SIR: The pressing demands for funds in Europe to purchase the necessary supplies for this department have induced me to analyze the present means adopted to insure the same. The three steamers owned by the Government and now under control of the Ordnance Department will not be able to carry out between this and the 1st of January, 1864, the amount of cotton (7,670 bales) required to meet the wants of that Bureau and the Medical Department. Of the Collie steamers I understand there are now two on the line, and that, perhaps, a third may be added. They can carry about 800 bales of cotton each, and make one trip each in about six weeks; which, if no accident occur, will secure the delivery of about 15,000 bales of cotton by the 1st of January, 1864. Before any benefit can arise from this source the price of the steamers will have to be provided for. The orders for quartermaster's supplies now outstanding in Europe, and for which funds should be supplied to the agent of this department, amount to $5,137,000, to meet which, so far as I am informed, no funds have been supplied him for six months. To supply this demand there will be required 37,200 bales of cotton, and should all the avail-

able transportation facilities of the Collie line be accorded to this department, half the quantity required cannot be transported between this date and the 1st of January next, a period itself too distant, as the supplies referred to are required to meet the wants of the Army for the fall and winter campaign.

Believing that the funds necessary to purchase these supplies cannot be furnished from the source above referred to, I beg to suggest that as Congress at its last session authorized the issue of $250,000,000 bonds, to be paid in cotton, with coupons attached (the interest payable in cotton or specie, at the option of the Secretary of the Treasury), that application be made to have the amount of $5,000,000 in these bonds issued to me, and that I be empowered to send them by a special agent to Europe to be sold, and the proceeds applied to the purchase of the needed supplies. If this proposition be accepted, I hope to be able, even at this late day, to provide for the pressing wants of the Army; if not, I cannot but abandon the hope of doing so.

I am, sir, very respectfully, your obedient servant,

A. C. MYERS,
Quartermaster-General.

GENERAL ORDERS, No. 105. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, July 29, 1863.*

I. The following act and regulations are published for the information of the Army:

AN ACT to amend an act entitled "An act to provide for an increase of the Quartermaster's and Commissary Departments," approved February 15, 1862.

The Congress of the Confederate States of America do enact, That the act entitled "An act to provide for an increase of the Quartermaster's and Commissary Departments," approved February fifteenth, eighteen hundred and sixty-two, be, and the same is hereby, amended by striking out the proviso at the end of the same, and inserting in lieu thereof the following: *Provided*, That no quartermaster, assistant quartermaster, commissary, or assistant commissary be authorized to employ as a clerk any one liable to military service; and the commanding officer of quartermasters, assistant quartermasters, commissaries, or assistant commissaries may detail from the ranks under his command such person or persons as may be necessary for service in the offices of said quartermasters, assistant quartermasters, commissaries, and assistant commissaries: *Provided*, That only disabled soldiers shall be so detailed while one can be found for such service.

Approved April 22, 1863.

II. To carry into effect the provisions of the preceding act, officers of the Quartermaster's and Commissary Departments in the field will report to the commanding general of the army or department the number and names of the clerks employed by each, and whether they are soldiers or citizens. If soldiers, unless their disability be shown by certificates of medical examining boards, they will be promptly returned to their respective companies. If citizens, exemption from service must be exhibited, or they will be reported to the proper enrolling officer for conscription.

III. Similar reports will be made by officers of the Quartermaster's and Commissary Departments at posts through the chiefs of their respective departments to this office.

By order:

S. COOPER,
Adjutant and Inspector General.

SPECIAL ORDERS, No. 180. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., July 30, 1863.*

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XX. On account of the state of health of Brigadier-General Field he is relieved from the control of the Conscript Bureau. Col. John S. Preston is assigned to that duty.

* * * * * * *

By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., July 30, 1863.

Lieut. Col. G. W. RAINS,
Augusta, Ga.:

SIR: I appreciate fully the importance of defending Augusta and the large interests of the Government at that point, and should be much pleased to provide adequate local force to guard it against sudden raids and limited advances of the enemy. If the men capable of bearing arms in a town of such size and importance can only be efficiently organized, they will alone suffice, in all probability, for the end contemplated. I am willing to extend every inducement to such organization which the law allows me to offer. I cannot permit those liable to conscription to be embraced in corps for local defense without violating the provisions of the act of Congress, which requires such to be devoted to filling the old organizations. I can, however, allow all others who will organize in efficient companies for local defense and special service under the act of August 21, 1861, to restrict their service to the defense of Augusta and its vicinity. I can likewise assign to such organization all detailed men, whether men enrolled as conscripts or soldiers withdrawn from the Army. With the strong motives and personal interest which the citizen must have to defend the place, I should hope these inducements would cause a general organization. You are authorized to give assurance that the companies will be received with this restriction as to locality of service, and I indulge the hope that by means of it you may be enabled to raise at least a regiment, which, under your guidance, will either defend the city or hold at bay the enemy until re-enforcements can be received.

Respectfully and truly, yours,

JAMES A. SEDDON,
Secretary of War.

RICHMOND, VA., *July 30, 1863.*

Governor Z. B. VANCE,
Raleigh, N. C.:

Your letter received.* I will be glad to see you at your earliest convenience. Let me know of your coming and you shall meet with no delay.

JEFFERSON DAVIS.

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* See Series I, Vol. LI, Part II, p. 740.

[JULY 30, 1863.—For Magruder to Lubbock, in relation to a call for 10,000 men from Texas, see Series I, Vol. XXVI, Part II, p. 126.]

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT, BUREAU OF CONSCRIPTION,
Richmond, Va., July 30, 1863.

Commandants of conscripts will forward to the Surgeon-General through this Bureau complete lists of the enrolling districts in the several States, with the names of the officers in charge, and the post-office address of the enrolling headquarters of the district; also the names of the surgeons and citizen physicians employed as members of the examining boards for each district.

Wherever it is now or may hereafter become impracticable to perform the duties of conscription in any district by reason of occupation by the enemy, or from any other cause, the Surgeon-General will be notified of it through this Bureau, that the employment of the surgeons and physicians above enumerated may terminate.

In general, all changes occurring under these heads will be similarly reported.

G. W. LAY,
Lieut. Col., Asst. Adjt. Gen., Acting Chief of Bureau.

(To Commandants of Conscripts.)

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, July 31, 1863.

General D. H. MAURY,
Mobile, Ala.:

Seize and retain for the Government all funds, effects, and securities within your department belonging to the banks of New Orleans, especially those of the Bank of Louisiana and Louisiana State Bank. Funds of the Bank of Louisiana, as likewise cotton receipts and railroad sterling bonds, are believed to be in the possession of G. G. Steever, now in Montgomery. Apply for information to Moses Greenwood, at Mobile. His letter to the Secretary of State has been received and submitted to the President.

JAMES A. SEDDON,
Secretary of War.

HDQRS. VOL. AND CONSCRIPT BUREAU, DEPT. NO. 2,
Marietta, Ga., July 31, 1863.

Colonel EWELL,
Assistant Adjutant-General:

As soon as it is possible to put in working order this upper and eastern portion of the department I will turn my attention to Mississippi. Before doing so it will be necessary for me to be informed whether or not I must call upon General Bragg to furnish me with all the officers

I will need for Mississippi, or will your army now in that State supply this want in whole or in part? I also ask an order of General Johnston that the commanders of armies, of corps, and of cavalry situated in the neighborhood of my camps of instruction and rendezvous, as far as is practicable, furnish my officers with small details of infantry and cavalry as a supporting force where needed. To give efficiency to the work of the bureau it is essential that my officers should be sustained if resisted. In many localities a knowledge of the existence of authority thus to call to my assistance such force would of itself obviate the necessity of its use. In other localities such supporting force will be absolutely necessary. As rapidly as possible I will seek to make the bureau self-sustaining. This would have long since [been] done if my applications had been promptly acted upon and granted. To do this will require time. The loss of this must be avoided.

Respectfully,

GID. J. PILLOW,
Brigadier-General, C. S. Army, and
Supt. Volunteer and Conscript Bureau, Dept. No. 2.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, July 31, 1863.

Col. J. W. Hinton, who is engaged under the authority of Governor Vance in raising State troops east of the Chowan and in counties contiguous, so under the control of the enemy as not to allow the enforcement of the conscript law, will not be interfered with in the enlistment of the men capable of [bearing] arms therein, and such men, though of conscript age, will not be withdrawn from such State organizations while there is such occupation of the enemy and existing need for their presence to restrain the enemy. I cannot, however, under the law, exempt such men permanently from liability to conscription where the withdrawal of the enemy would allow them to be regularly subjected to the operation of the law.

JAMES A. SEDDON,
Secretary of War.

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, Va., July 31, 1863.

The Superintendent of Conscription desires to be furnished, with the least delay practicable, a full report of the names of all enrolling officers, drill-masters, and agents of conscription, with their grade, actual military status, military history, how and by whom appointed, and the antecedents on which the appointment was founded in each case.

G. W. LAY,
Lieut. Col., Asst. Adjt. Gen., Acting Chief of Bureau.

(To Commandants of Conscripts.)

PROCLAMATION.

THE SOLDIERS OF THE CONFEDERATE STATES:

After more than two years of a warfare scarcely equaled in the number, magnitude, and fearful carnage of its battles, a warfare in which your courage and fortitude have illustrated your country and attracted not only gratitude at home, but admiration abroad, your enemies continue a struggle in which our final triumph must be inevitable. Unduly elated with their recent successes, they imagine that temporary reverses can quell your spirit or shake your determination, and they are now gathering heavy masses for a general invasion in the vain hope that by a desperate effort success may at length be reached.

You know too well, my countrymen, what they mean by success. Their malignant rage aims at nothing less than the extermination of yourselves, your wives, and children. They seek to destroy what they cannot plunder. They propose as the spoils of victory that your homes shall be partitioned among the wretches whose atrocious cruelties have stamped infamy on their Government. They design to incite servile insurrection and light the fires of incendiarism wherever they can reach your homes, and they debauch the inferior race, hitherto docile and contented, by promising indulgence of the vilest passions as the price of treachery. Conscious of their inability to prevail by legitimate warfare, not daring to make peace lest they should be hurled from their seats of power, the men who now rule in Washington refuse even to confer on the subject of putting an end to outrages which disgrace our age, or to listen to a suggestion for conducting the war according to the usages of civilization.

Fellow-citizens, no alternative is left you but victory or subjugation, slavery, and the utter ruin of yourselves, your families, and your country. The victory is within your reach. You need but stretch forth your hands to grasp it. For this end all that is necessary is that those who are called to the field by every motive that can move the human heart should promptly repair to the post of duty, should stand by their comrades now in front of the foe, and thus so strengthen the armies of the Confederacy as to insure success. The men now absent from their posts would, if present in the field, suffice to create numerical equality between our force and that of the invaders; and when with any approach to such equality have we failed to be victorious? I believe that but few of those absent are actuated by unwillingness to serve their country, but that many have found it difficult to resist the temptation of a visit to their homes and the loved ones from whom they have been so long separated; that others have left for temporary attention to their affairs with the intention of returning, and then have shrunk from the consequence of the violation of duty; that others again have left their posts from mere restlessness and desire of change, each quieting the upbraidings of his conscience by persuading himself that his individual services could have no influence on the general result. These and other causes (although far less disgraceful than the desire to avoid danger or to escape from the sacrifices required by patriotism) are, nevertheless, grievous faults, and place the cause of our beloved country and of everything we hold dear in imminent peril.

I repeat that the men who now owe duty to their country, who have been called out and have not yet reported for duty, or who have absented themselves from their posts are sufficient in number to secure us

victory in the struggle now impending. I call on you, then, my countrymen, to hasten to your camps in obedience to the dictates of honor and of duty, and I summon those who have absented themselves without leave, or who have remained absent beyond the period allowed by their furloughs, to repair without delay to their respective commands; and I do hereby declare that I grant a general pardon and amnesty to all officers and men within the Confederacy now absent without leave who shall with the least possible delay return to their proper posts of duty; but no excuse will be received for any delay beyond twenty days after the first publication of this proclamation in the State in which the absentee may be at the date of publication. This amnesty and pardon shall extend to all who have been accused, or who have been convicted and are undergoing sentence for absence without leave or desertion, excepting only those who have been twice convicted of desertion.

Finally, I conjure my countrywomen, the wives, mothers, sisters, and daughters of the Confederacy, to use their all-powerful influence in aid of this call, to add one crowning sacrifice to those which their patriotism has so freely and constantly offered on their country's altar, and to take care that none who owe service in the field shall be sheltered at home from the disgrace of having deserted their duty to their families, to their country, and to their God.

Given under my hand and the seal of the Confederate States, at Richmond, this first day of August, in the year of our Lord one thousand eight hundred and sixty-three.

[SEAL.] JEFFERSON DAVIS.

By the President:

J. P. BENJAMIN,
Secretary of State.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 107. } *Richmond, August 1, 1863.*

I. When conscripts have been sent to camps of instruction, or to regiments in the field, after being pronounced by the district examining boards established under the law fit for military service, they can thereafter be discharged only in accordance with the regulations prescribed for the discharge of soldiers from the Army.

II. In case there is reason to believe that any conscripts in camps of instruction are disqualified, the commandant will order a medical examination and forward a report fully setting forth the grounds of disability, if found to exist, through the Bureau of Conscription, to the Surgeon-General for his approval, and for final action by the War Department

III. Regimental officers have no discretion but to receive and take up on their rolls conscripts duly assigned them under the provisions of General Orders, No. 82, of 1862, from this office. The question of discharge arises subsequently.

IV. The compensation of surgeons employed under the act of Congress approved October 11, 1862, to examine persons enrolled for military duty will be $5 per day for each day they are actually engaged in making such examinations, and will be paid upon their certified accounts by the quartermaster of the nearest camp of instruction. This order will take effect from the 20th of February last.

V. General officers who are provided with aides-de-camp allowed by law, should they find it necessary to accept supernumerary or volunteer aides, must only receive those exempt from military service.

By order:

S. COOPER,
Adjutant and Inspector General.

[AUGUST 2, 1863.—For Johnston to Shorter, in relation to troops raised in Alabama for local defense, see Series I, Vol. XXVI, Part II, p. 136.]

[AUGUST 2, 1863.—For Davis to Lee, in relation to measures for maintaining the strength of the Army of Northern Virginia, &c., see Series I, Vol. LI, Part II, p. 749.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., August 3, 1863.

His Excellency JOHN LETCHER,
Governor of Virginia:

SIR: I have the honor to request that you will call out for thirty days from this date, for the defense of Petersburg and its vicinity, the militia of the second class of that city, as well as any other not embraced in that class. The action of the board of exemption provided by the State law, will, of course, be recognized so far as it refers to exemption from military duty.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

[AUGUST 4, 1863.—For Shorter to Johnston, in relation to troops raised in Alabama for local defense, see Series I, Vol. XXVI, Part II, p. 139.]

GENERAL ORDERS, No. 108. } ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, August 4, 1863.

The following acts are published for the information of the Army:

AN ACT to provide for transportation of persons who have been mustered into the service for the war.

The Congress of the Confederate States of America do enact, That non-commissioned officers and privates who have been mustered into service for the war, and to whom furloughs may be granted for not more than sixty days, shall be entitled to transportation home and back: *Provided*, That this allowance shall only be made once during the term of enlistment of such non-commissioned officers and privates.

Approved February 7, 1863.

AN ACT to amend "An act for the establishment and organization of a general staff for the Army of the Confederate States."

The Congress of the Confederate States of America do enact, That from and after the passage of this act the rank, pay, and allowances attached to the office of Quartermaster-General of the Army of the Confederate States shall be those of a brigadier-general in the Provisional Army.

Approved March 20, 1863.

AN ACT to prevent the absence of officers and soldiers without leave.

The Congress of the Confederate States of America do enact, That no officer or soldier of the Army shall receive pay for any period during which he may be absent without leave, or beyond the leave granted, from competent authority, according to the Regulations of the Army: *Provided*, That this restriction shall not affect the sick or wounded in hospitals.

SEC. 2. In order to enforce the requirements of the foregoing section, it is hereby made the duty of commanding officers of companies to state upon the muster and pay rolls of their companies the length of time any officer or soldier has been absent therefrom, without leave of competent authority, since the previous payment, when the deduction of pay for such absence will be made by the quartermaster from the amount otherwise due the officer or soldier; and any commander of a company who shall fail to note such absence on the muster and pay rolls of the company shall be required to refund to the Government the amount forfeited by such absent officer or soldier, unless it shall already have been received from the officer or soldier so absent.

SEC. 3. Officers shall certify upon honor on their pay accounts whether they have or have not been absent, without leave by competent authority, within the time for which they claim pay; and if absent without leave, they shall state in their certificates the time and period of such absences. In like manner, commanding officers of companies shall certify on honor on their pay accounts that they have stated fully and correctly on the muster and pay rolls of their companies the length of time each officer and soldier of the company has been absent without leave since the last payment of the company.

SEC. 4. That this act shall not be construed to relieve any officer or private from any other penalty to which he may be liable by existing laws or regulations.

Approved April 16, 1863.

AN ACT explanatory of an act entitled "An act to authorize the President to accept and place in the service certain regiments and battalions heretofore raised," approved on the eleventh day of October, eighteen hundred and sixty-two.

The Congress of the Confederate States of America do enact, That the second section of the act entitled "An act to authorize the President to accept and place in the service certain regiments and battalions heretofore raised," approved on the eleventh day of October, in the year one thousand eight hundred and sixty-two, shall not be so construed as to authorize any general officer to appoint any of the officers of said regiments and battalions. That said regiments and battalions shall have the right within ninety days, on a day to be fixed by the commander of the brigade for that purpose, to *elect* such officers as volunteers have heretofore been authorized to elect: *Provided*, That this act shall not apply to any case where such office has heretofore been filled by election.

Approved April 16, 1863.

AN ACT to repeal certain clauses of an act entitled "An act to exempt certain persons from military service," &c., approved October 11, 1862.

The Congress of the Confederate States of America do enact, That so much of the act approved October eleventh, one thousand eight hundred and sixty-two, as exempts from military service "one person, either as agent, owner, or overseer, on each plantation on which one white person is required to be kept by the laws or ordinances of any State, and on which there is no white male adult not liable to military service, and in States having no such law, one person as agent, owner, or overseer, on each plantation of twenty negroes, and on which there is no white male adult not liable to military service," and also the following clause in said act, to wit: "And furthermore for additional police for every twenty negroes, on two or more plantations, within five miles of each other, and each having less than twenty negroes, and on which there is no white male adult not liable to military duty, one person being the oldest of the owners or overseers on such plantations," be, and the same are hereby, repealed.

SEC. 2. For the police and management of slaves, there shall be exempted one person on each farm or plantation, the sole property of a minor, a person of

unsound mind, a *femme sole*, or a person absent from home in the military or naval service of the Confederacy, on which there are twenty or more slaves: *Provided*, The person so exempted was employed and acting as an overseer previous to the sixteenth April, one thousand eight hundred and sixty-two, and there is no white male adult on said farm or plantation, who is not liable to military duty, which fact shall be verified by the affidavits of said person and two respectable citizens, and shall be filed with the enrolling officer: *And provided*, The owner of such farm or plantation, his agent, or legal representative, shall make affidavit and deliver the same to the enrolling officer, that, after diligent effort, no overseer can be procured for such farm or plantation not liable to military duty: *Provided further*, That this clause shall not extend to any farm or plantation on which the negroes have been placed by division from any other farm or plantation since the eleventh day of October, one thousand eight hundred and sixty-two: *Provided further*, That for every person exempted, as aforesaid, and during the period of such exemption, there shall be paid annually into the public Treasury, by the owners of such slaves, the sum of five hundred dollars.

SEC. 3. Such other persons shall be exempted as the President shall be satisfied ought to be exempted in districts of country deprived of white or slave labor indispensable to the production of grain or provisions necessary for the support of the population remaining at home, and also on account of justice, equity and necessity.

SEC. 4. In addition to the State officers exempted by the act of October eleventh, one thousand eight hundred and sixty-two, there shall also be exempted all State officers whom the Governor of any State may claim to have exempted for the due administration of the government and laws thereof; but this exemption shall not continue in any State after the adjournment of the next regular session of its Legislature, unless such Legislature shall, by law, exempt them from military duty in the Provisional Army of the Confederate States.

Approved May 1, 1863.

AN ACT to amend an act entitled "An act to organize military courts to attend the Army of the Confederate States in the field, and to define the powers of said courts," approved October 9th, 1862.

The Congress of the Confederate States of America do enact, That in addition to one military court to attend each army corps in the field, as now authorized by an act entitled "An act to organize military courts to attend the Army of the Confederate States in the field, and to define the power of said courts," approved October ninth, eighteen hundred and sixty-two, one military court shall be organized in each of such military departments as, in the judgment of the President, the public exigencies may require; to be organized in the manner and with powers prescribed in the act of which this is amendatory.

Approved May 1, 1863.

AN ACT to continue and amend the third section of an act supplementary to an act concerning the pay and allowance due to deceased soldiers, approved February 15th, 1862, and to provide for the prompt settlement of claims for arrearages of pay, allowance and bounty due deceased officers and soldiers.

The Congress of the Confederate States of America do enact, That the third section of an act entitled "An act supplementary to an act concerning the pay and allowance due to deceased soldiers," approved February fifteenth, eighteen hundred and sixty-two, and to provide for the prompt settlement of claims for arrearages of pay, allowance and bounty due deceased officers and soldiers, be continued of force until otherwise provided by Congress.

Approved May 1, 1863.*

AN ACT to provide for the appointment of military store-keepers in the Provisional Army of the Confederate States.

The Congress of the Confederate States of America do enact, That the President be authorized to appoint as many military store-keepers of ordnance in the Provisional Army of the Confederate States as may be deemed necessary, not to exceed in all eight store-keepers, four with the pay and allowance of a captain of infantry, and four with the pay and allowance of a first lieutenant of infantry.

SEC. 2. *Be it further enacted*, That military store-keepers of the first class so appointed shall be required to give bonds in the sum of twenty thousand dollars, and those of the second class in the sum of ten thousand dollars, when charged with the disbursement of funds. This act shall be in force from and after its passage: *Provided*, That no one shall be appointed under its provisions except

*For "Joint resolutions on the subject of retaliation," which follow this act, and are here omitted, see Series II, Vol. V, p. 940.

officers without commands, or officers or privates who have performed meritorious services in the field or have become incapacitated by wounds or sickness for active service.

Approved May 1, 1863.

AN ACT to prevent fraud in the Quartermaster's and Commissary Departments and the obtaining under false pretense transportation for private property.

The Congress of the Confederate States of America do enact, That no officer charged with the safe-keeping, transfer or disbursement of public moneys, shall convert to his own use, or invest in any kind of property or merchandise, on private account, or lend with or without interest, any portion of the public moneys intrusted to him for safe-keeping, transfer, disbursement or any other purpose.

SEC. 2. That no officer charged with the safe-keeping, transfer or disbursement of public moneys, or charged with or assigned to the duty of purchasing for the Government, or any department thereof, shall buy, trade, traffic or speculate in, either directly or indirectly for the purpose of gain to himself or others by resale or otherwise, any article of food or clothing or material of which the same is made, or which enters into or constitutes a part of the same, or any material of war or article whatsoever, which is or may be required to be purchased for the use of the Army or the prosecution of the war.

SEC. 3. No officer shall take a receipt in blank for any article or articles purchased by him for the Government or any department thereof; and every receipt shall set forth the true amount paid, and on what account; and when payment is made on account of property purchased, the receipt shall set forth the name of the person from whom such property was purchased, and the place of his residence, the thing or things purchased, by items, number, weight or measurement, as may be customary in the particular case, the price thereof, and the date of payment.

SEC. 4. No officer who is in charge of transportation, or who is empowered to grant the same, shall forward by Government conveyance or at the expense of Government, or to the exclusion or delay of Government freight, any commodity or property of any kind, unless the same belongs to the Government or some department thereof, except as authorized by law.

SEC. 5. Any officer who shall violate any provision in the foregoing sections, shall, upon a conviction before a court-martial or military court, be cashiered and placed in the ranks as a private to serve during the war: *Provided*, That nothing herein contained shall impair the civil remedy which the Government may have against any officer or his sureties for fraud, peculation or misapplication of the public moneys intrusted to him by the Government.

SEC. 6. *Be it further enacted*, That any person in the employment or service of the Government as aforesaid, and all other persons coming within the purview of this act, who shall violate any of the provisions of the foregoing sections, shall be liable to indictment, and fined in a sum not less than one thousand dollars and imprisoned not less than one year, nor longer than five years, to be imposed by the judge or jury trying the cause, according to the course of judicial proceeding in force in the several States: *Provided*, The provisions of this act shall in no wise interfere with or impair the civil remedy which the Government may have against any of said officers or their securities or employés for frauds, peculations or misapplication of the moneys intrusted to them, respectively, by the Confederate States: *Provided also*, That all conservators of the peace, who, by the laws of the several States, have jurisdiction to commit or bind over offenders for breaches of the criminal laws of the State in which they may reside, shall have power to commit or bind over in a sufficient recognizance offenders against the provisions of this law, to appear at the next term of the district court of the Confederate States, within the jurisdiction of which the offense was committed, for trial, in the same manner and under the same rules as if such preliminary trial were had before the judge of such district court, and the judges of the Confederate courts having jurisdiction of the offenses defined by this act shall, at the commencement of each session of their respective courts, give this act and its provisions specially in charge to the different grand juries.

Approved May 1, 1863.

AN ACT to pay officers, non-commissioned officers and privates not legally mustered into the service of the Confederate States, for services actually performed.

The Congress of the Confederate States of America do enact, That all officers, non-commissioned officers and privates of any legally constituted military organization, which may have been actually received into the service of the Confederate States by any general officer thereof, but were never legally mustered into service, in consequence of the loss of the muster-rolls of such military organization,

shall be entitled to receive pay from the time they were so received: *Provided*, The fact of their having been so received into the service, and the time they served, is duly proved to the satisfaction of the Secretary of War, under rules to be prescribed by him.

Approved May 1, 1863.

AN ACT to provide for the transfer of persons serving in the Army to the Navy.

The Congress of the Confederate States of America do enact, That all persons serving in the land forces of the Confederate States who shall desire to be transferred to the naval service, and whose transfer as seamen or ordinary seamen shall be applied for by the Secretary of the Navy, shall be transferred from the land to the naval service: *Provided*, That nothing in this act shall be so construed as to alter or repeal any law now in force limiting the number of seamen.

Approved May 1, 1863.

AN ACT regulating the granting of furloughs and discharges in hospitals.

The Congress of the Confederate States of America do enact, That sick, wounded, and disabled soldiers in hospitals shall be entitled to furloughs and discharges under the following rules and regulations: In places where there are three or more hospitals, three surgeons in charge of hospitals, or divisions in hospitals, shall constitute a board of examiners for the hospitals to which they belong, whose duty it shall be, twice in each week, to visit said hospitals, and examine applicants for furloughs and discharges; and in all cases where they shall find an applicant for furlough unfit for military duty, either from disease or wounds, and likely so to remain for thirty days or upward, they shall grant a furlough for such time as they shall deem him unfit for duty, not to exceed sixty days. Said Board shall keep a secretary or clerk, who shall issue all furloughs by order of the Board, and shall specify therein the time of furlough, the place of the residence of the soldier, his company, regiment and brigade.

SEC. 2. *Be it further enacted*, That no further regulation shall be required of the soldier, and no passport required other than his furlough.

SEC. 3. *Be it further enacted*, That the said Board may recommend discharges, stating the ground thereof, which, when approved by the Surgeon-General or the general commanding the army or department to which the soldier belongs, shall entitle him to a discharge and transportation to the place of his enlistment or residence.

SEC. 4. *Be it further enacted*, That in places where there are but two hospitals, two surgeons in charge of a hospital or division shall constitute a board for the purposes aforesaid; and in places where there is but one, the surgeon in charge, and two assistant surgeons, if there be two, and if not, then one, shall constitute a board for the purpose aforesaid, and may furlough and recommend discharges as aforesaid: *Provided*, That no furlough shall be granted under the provisions of this act if in the opinion of the Board the life or convalescence of the patient would be endangered thereby.

SEC. 5. [*Be it further enacted*,] The house surgeon in all hospitals shall see each patient under his charge once every day.

Approved May 1, 1863.

By order:

S. COOPER,
Adjutant and Inspector General.

MORTON, *August 4, 1863.*

Brig. Gen. G. J. PILLOW,
Marietta, Ga.:

Georgia is not one of the States in which General Johnston has authority to enforce conscription. You say that you have applied for authority to collect the conscripts of this State. If by this you mean that you have applied to the War Department, General Johnston was your proper channel. All your communications to the War Department should be made through him.

By command of General J. E. Johnston:

BEN. S. EWELL,
Assistant Adjutant-General.

[AUGUST 5, 1863.—For Lee to Northrop, in relation to the necessity of reducing the soldiers' rations, &c., see Series I, Vol. XXIX, Part II, p. 625.]

BUREAU OF CONSCRIPTION,
Richmond, August 6, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: The whole matter of conscription and all other functions hitherto pertaining to this Bureau within the States of Tennessee, Mississippi, and Alabama having been transferred to the general commanding Department No. 2, leaves a limited but still important scope for the action of the Bureau. Practically there remains under the control of the Bureau but four States—Georgia, North Carolina, South Carolina, and part of Virginia. The number of men liable to conscription in these States is smaller in comparison to their population than in the other portions of the Confederacy. Almost all such are already in the field, and that function of the Bureau almost expires for lack of material, and yet requires for its execution the same extent of agency as if the supply were to be ten times that which is probable. These agencies must continue unless the same disposition be made in the eastern as has been made in the western States. Should that occur, the necessity of the Bureau and its agencies would terminate. At present, then, by far the gravest portions of its duties consists in its remedial action on the depletion of the Army by straggling, desertions, and other forms of absence.

While the conscription will be urged with all the vigor which the system will admit, I will at once venture to offer for your consideration a few suggestions relative to the other branches of the duty to which you have assigned me. I feel assured from my own observation that the regulations concerning volunteering will fail of the effect desired if permitted to remain in their present form. The omission of any prescribed period for volunteering is fatal to their success; but, besides this, serious impediments to the efficient action of the system are offered in the unrestricted powers given to recruiting officers, and which in practice are much abused. It is known to me, from the practical operation of the present regulation, that men in large numbers—indeed large majorities in some localities—hold back from volunteering until they are hunted down by the enrolling officer, and as a last resort accept the offers of recruiting officers who tender them rewards and extended furloughs for the chance of getting the names on their rolls, thus delaying the volunteer beyond the conscript. This is extensively practiced. It frequently occurs that the officer gives a certificate that the man belongs to his company. If this is not admitted by the enrolling officer, the man is brought to the camp, and after the delay of an almost impracticable correspondence with armies in the field he may at last be forced to volunteer.

I have seen furloughs of ninety days given by recruiting officers to men who held certificates six months old that they belonged to certain companies, and who had never been in the field. In other instances (and these are very common) men escape after enrollment and join companies and are eagerly accepted, and on reclamation being made, are resolutely protected and claimed as regular members of the companies. Very vague pretensions of right are sufficient to

effect their retention. The result of all this is that the unrestricted privilege of volunteering is a fruitful source of delay in entering and of final escape from service. In view of this, I venture to suggest, first, that the privilege of volunteering be restricted to those persons who report as volunteers to the enrolling officer within a period indicated by the Department; second, that all volunteers must be mustered in and sent forward by enrolling officers; third, that commanders of companies shall not receive volunteers who may have been liable to conscription without a certificate from the enrolling officer that they volunteered before enrollment, and that a copy of such certificate shall be forwarded to the commandant of conscripts for the State from which the volunteer goes; fourth, that the granting of furloughs to volunteers before they have reported in person to the company be prohibited.

I am aware that these suggestions infringe somewhat on the seeming policy of existing orders and regulations, but not to an extent affecting it substantially, and I feel assured will give, if adopted, additional vigor to the execution of that policy.

As connected with this matter, I venture to suggest that the system of volunteer recruiting from persons within the conscript age by any authority except through this Bureau is apt to produce delay, with much confusion and irregularity.

I remain, very respectfully, your obedient servant,

JNO. S. PRESTON,
Colonel and Superintendent.

[First indorsement.]

SECRETARY OF WAR:

Recruiting officers for companies in the field have done more to demoralize the Army than to strengthen it. They have been the agents of much of the abuse in the reception of substitutes. The views and recommendations in this paper are deserving of favor.

J. A. CAMPBELL.

[Second indorsement.]

AUGUST 14, 1863.

ADJUTANT-GENERAL:

Issue a general order, first, that officers receiving volunteers from those liable to conscription shall in no case grant furloughs to such volunteers before entering on actual service for more than ten days. Second, every man liable to conscription volunteering before enrollment must report himself and the company in which he volunteers, and likewise be reported by his captain to the commandant of conscripts for the State within ten days after his act of volunteering, otherwise he will be held subject to enrollment and assignment.

JAMES A. SEDDON,
Secretary of War.

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, August 6, 1863.

General BRAXTON BRAGG and other OFFICERS,
Chattanooga, Tenn.:

GENTLEMEN: I have the honor to acknowledge the receipt of your letter of 25th ultimo in relation to the important subject of filling the

ranks of our armies, which it cannot be needful to say has for some time past received the earnest attention of the War Department. You are no doubt aware that the right to call for men to fill up the armies of the Confederacy is limited by law and that the demand has already reached the limit thus prescribed. The alternative, therefore, which you present indicates your own conclusion that the legislation of Congress in relation to exemptions should be changed on that point. I forbear to make any further remark than that the subject was fully discussed in two sessions of Congress. It may, however, be remarked that the men who are by law exempt from conscription have been invited to organizations for local defense and are subject to duty as militia of the States, and you have probably not failed to observe that the States have been called upon in one or both of these forms to furnish additional force.

I was surprised to observe the statement that 150,000 soldiers had employed substitutes, of whom not one in a hundred remained in service. The records of the War Department do not furnish the means of verifying your statistics, and as the matter is one of importance, I would be glad to know how the fact has been ascertained. The number of men on detached service, as shown by the field returns, has been observed to be great, and perhaps it may justify your term "enormous," but the returns do not show for what purpose or by whose order they were detached, and I think it will be found that a very small part of them have been so separated from their companies by orders from the War Department. If you are correct in stating that the number of "detailed and exempted men under forty-five exceeds a quarter of a million," you will do the Department the justice to remember that it has construed the exemption law very rigidly, and made constant efforts to reduce the number of effective men employed at depots and by staff officers in the field. I will gladly receive your aid in correcting what is believed to be an abuse in the employment of an unnecessary number of effective soldiers and men subject to conscription on duties which, to use your expression, "could be performed by women or disabled soldiers."

I concur fully in your views that the most extreme course would be preferable to one which left us to be beaten in detail and our resources destroyed by the abandonment of one part of the country after another. The arguments you offer unite with many other considerations to urge the most desperate resistance to the occupation of our soil by the enemy. But you will not fail to estimate the natural elements involved in the question, and are sufficiently informed that not only the number of men, but the means necessary to render them efficient, has a limit greatly within our desires.

In conclusion, I would remark that the promptitude of action which you urge involves the best possible use of the means and powers we now possess. To assemble Congress to obtain additional legislation and to execute the laws then enacted would involve a delay which, in the present condition of affairs, would be disastrous. The recent heavy losses of arms in the west render it probable that the men subject to conscription and those absent from their companies, added to the exempts to be furnished by the States for special service, will be as great as the number of arms we can supply.

It is proper, therefore, to inform you that your letter has been duly submitted to the President and Secretary of War.

I have the honor to be, very respectfully, your obedient servant,

S. COOPER,

Adjutant and Inspector General.

MORTON, *August 6, 1863.*

His Excellency JEFFERSON DAVIS,
Richmond, Va.:

I desire to raise a squadron of cavalry and two companies of artillery for river defense, to render the navigation of the Mississippi River impossible, or at least perilous. Being from Wilkinson County and well acquainted with that portion of the river, propose to operate between Natchez and Tunica and facilitate the speedy organization of the command. I respectfully ask permission to enlist men between the ages of conscription for service for three years or the war. This organization, of course, to be subject to the orders of the department commander and moved to other service when, in his judgment, it may be required. The State will furnish me the horses.

JONES S. HAMILTON.

MERIDIAN, *August 6, 1863.*

President JEFFERSON DAVIS,
Richmond, Va.:

Colonel Hamilton, adjutant-general of the State, has telegraphed you in reference to raising a command for river defense. He is entirely competent to the undertaking and worthy of encouragement. We hope you will favor his request and plans.

JNO. J. PETTUS.
A. M. WEST.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, August 7, 1863.

Hon. S. R. MALLORY,
Secretary of the Navy:

SIR: The President has referred your letter of the 24th ultimo, inclosing statements from Admiral Buchanan and Flag Officers Ingraham and Tucker, to this Department. In reply I have the honor to say that seamen should be selected and application made for them from the armies with which the vessels to be manned are co-operating, or from conscripts to be assigned. The transfers may then be ordered; but distant commanders, not appreciating the exigency for seamen, naturally present every obstacle to the transfer of their tried soldiers.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

SPECIAL ORDERS, No. 187. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, August 7, 1863.

* * * * * * *

XX. Under the act of Congress approved March 20, 1863, Brig. Gen. A. R. Lawton is assigned to duty as Quartermaster-General and

will enter upon the discharge of the duties of the office on the 10th instant.

* * * * * * *

By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

[AUGUST 8, 1863.—For Lee to Davis, in relation to measures for maintaining the strength of the Army of Northern Virginia and requesting to be relieved from command of said army, see Series I, Vol. LI, Part II, p. 752.]

CIRCULAR.] ASSISTANT QUARTERMASTER-GENERAL'S OFFICE,
Richmond, Va., August 8, 1863.

Commissaries who are purchasing supplies are authorized to receive that portion of the tax in kind, consisting of wheat, buckwheat, rice, sugar, molasses, peas, beans, ground peas, and bacon, giving a receipt to the producer, which will be evidence that so much of his tax is paid. As the post quartermaster of the Congressional district is responsible for the tenth, after the assessor has made it known to him, the receiving commissary will also receipt for it to that officer. Upon this receipt he will be held responsible at the Treasury for the stores and will take them up on his returns. The foregoing does not relieve district quartermasters from the responsibility in receiving the whole tax and the obligation to furnish bags, but is intended to secure the co-operation of officers of the Commissary Department.

LARKIN SMITH,
Assistant Quartermaster-General.
L. B. NORTHROP,
Commissary-General of Subsistence.

Approved.
By order of the Secretary of War:

J. A. CAMPBELL,
Assistant Secretary of War.

[AUGUST 8, 1863.—For Flanagin to R. W. Johnson, in relation to the meeting of the Governors of the Trans-Mississippi States, the enrollment of all men in Arkansas between sixteen and sixty, not subject to the conscript law, &c., see Series I, Vol. XXII, Part II, p. 958.]

MARIETTA, *August 8, 1863.*

Mr. A. FULLARTON,
Acting Consul of Great Britain:

DEAR SIR: Your letter of 22d July reached these headquarters during my absence, which has caused delay in my reply. Judging from your communication, I am obliged to conclude that you have not correctly understood the objects of the Government in organizing the 8,000 men for home defense. You admit the right of the State to claim the services of British subjects resident within its limits for the purpose of maintaining "internal order," and even to a limited

extent to defend the places of their residence against local invasion by a foreign power. In view of this correct admission on your part, I do not deem it necessary to quote authority to show the obligation of Her Majesty's subjects to render the service now called for. To maintain "internal order" and to defend to a limited extent "against local invasion by a foreign power" are the sole objects of the proposed military organization. While the men are to be mustered into service for the purpose of affording them the rights and privileges of prisoners of war in case of capture by the enemy, and to enable the Government to command them without delay in case of sudden emergency, it is not proposed to take them from their homes, or to interrupt their ordinary avocations unless it be a case of sudden emergency or pressing necessity for the defense of their homes, or such localities as command their homes, when in the hands of the enemy. The Government of the United States, in violation of the usages of civilized warfare, is now resorting to every means within its power to incite servile insurrection in our midst. It is not only selling slaves, which are private property, or taking them by open robbery, mustering them into its service, and arming them against us, but it is doing all it can by secret agencies to stir up and excite the angry passion of the mass of ignorant slaves in the interior, whom it can neither reach by theft nor robbery, to cause them to rise in rebellion against their masters, with whom they are now comfortable and happy, and to set fire to our cities, towns, villages, and other property. It is needless for me to add that in case they should be successful in inciting insurrection to this point the butchery of helpless women and children will doubtless be the result. As a means of accomplishing this object, as well as of destroying public and private property, the enemy is now preparing to send cavalry raids as far as possible into this and other States of the Confederacy. These robber bands will, no doubt, burn and destroy property where they go, carry off as many slaves as they can, and attempt to stir up others with whom they come in contact to insurrection, robbery, and murder. It is not expected that 8,000 men called for by my proclamation and the general order to which you refer will be used against the regular armies of the United States.

The provisional armies of the Confederate States have shown themselves fully able to meet the enemy upon a hundred battle-fields, and to drive them back with severe chastisement wherever they have not had the advantage of their navy as a support. But it is expected that this home organization, while it may be but little of its time in actual service, will, in case of sudden emergency, assist in repelling the plundering bands of the enemy which evade contact with our armies and make predatory incursions to our very homes for the purposes already mentioned, and that they will assist in suppressing any servile insurrections which these plundering parties may be able to incite. Many who claim to be Her Majesty's subjects in this State are large slaveholders, whose danger of loss of property and of insult and cruel injury to their wives and children, in case of insurrection, is as great as the danger to the citizens of this State, and their obligation to protect their property and their families against the local aggressions of the U. S. forces is no less. While Her Majesty's Government has constantly refused to recognize the existence of the Government of the Confederate States, her subjects have enjoyed its protection; and while she refuses to hold any diplomatic relations with us, you, as her representative, are permitted to represent her interests here and to be heard for the protection of her subjects and

their property. In this state of things, British subjects who still elect to remain in the Confederacy should not expect to do less than the service now required of them; and while free egress will in no case be denied them should they desire to depart from this State, less than the service now required will not in future be demanded, in case they choose to remain in the State and enjoy its protection.

Experience has convinced the Government at Washington of its inability by armed force in the battle-field to combat Southern valor and compel us to submit to its despotic tyranny. It has therefore, in connection with that above mentioned, adopted the further policy of destroying agricultural implements, mills, and provisions wherever its armies penetrate into our country, with a view of effecting by starvation that which it cannot accomplish by the skill and courage of its troops. As a furtlrer auxiliary to the accomplishment of this object it drives from the territory overrun by its armies the men, women, and children who are true to the Government of their choice, and compels them to seek safety and support in this and other interior States. It thus taxes the productions of the interior States with the support not only of their own population and the armies of the Confederacy, but of a large number of refugees.

With the blessings of Divine Providence, which, thanks to His name, have been so abundantly showered upon us, we are, by abandoning the culture of cotton, making ample supplies for another year. While we are surrounded by such an enemy the British Government cannot fail to see and appreciate the reason why we cannot afford to retain and protect among us a class of consumers who produce none of the necessaries of life and who refuse to take up arms for interior and local defense, but claim the privilege of remaining as subjects of foreign powers, engaged in commercial pursuits, in ports with which their Government recognizes no legal commerce. But you insist that there was no law in existence requiring British subjects to take up arms against the United States Government when for commercial purposes they first took up their residence in the country. You must not forget, however, in this connection, that at that time the State of Georgia was, by her own sovereign consent, a component part of the Government of the United States, and that since that time she has, for just cause, withdrawn her consent to further connection with the aggressive States of the North, and now, with her Southern sisters, forms the Government of the Confederate States, against which the States which remain united under the name of United States are waging a cruel and unjust war. With this change in the political relations of the country new obligations are imposed upon the subjects of foreign powers resident within this and other Southern States, which make it their duty to aid in the maintenance of internal order and in the protection of their domiciles and the localities where they are situated when assailed by the troops of the United States Government or to depart from the States and seek protection elsewhere.

Again, the commercial reasons which you say caused Her Majesty's subjects to take up their residence here ceased to exist when Her Majesty's Government refused longer to recognize the existence of legal commerce between her subjects and the citizens of this State, and warned them of the loss of her protection if they attempted to carry on commercial relations with us through our ports. At the time English subjects took up their residence among our people for commercial purposes our ports were open to the commerce of the

world, and foreign governments which had commercial treaties with us had a right to claim for their subjects engaged in commerce the usual commercial privileges and protection while domiciled here.

Now, the Government of the United States claims that it has our ports blockaded; and while the whole civilized world knows that the blockade is not effective, and that vessels enter and clear almost daily at our ports, the Government of Her Majesty chooses to recognize it as a legal blockade and to acquiesce in the paper prohibition which excludes English subjects with their commerce from our ports. If the British Government adopts the pretensions of the Government of the United States and holds that Charleston and Savannah are still ports belonging to the United States, it must be admitted that the blockade of these ports by the United States Government is a palpable violation of the commercial treaty stipulations between the two Governments, as the United States Government has no right under these treaties to blockade her own ports against English commerce. If tested by the laws of nations, to which the British Government is a party, it is no blockade, because not effective. Under these circumstances, if the Government of Her Majesty consents to respect the orders of the United States Government, which forbids British subjects to enter our ports for commercial purposes, that Government has no right, while this state of things continues, to claim commercial privileges for its subjects within the ports where it admits the existence of a legal blockade; but it must expect those subjects to depart from these ports, and if they refuse to do so it has no just cause of complaint when the Government having possession of these ports compels them to take up arms to defend their domiciles against servile insurrection or the attacks of the troops of a hostile power.

I learn from your letter that "nearly all British subjects have taken an oath that they will not, under any circumstances, take part in the contest now raging in this country by taking up arms on either side." In reply to this, permit me to remind you that no such self-imposed obligation can free the subjects of Her Majesty who choose to remain in this State from the higher obligation which, by the laws of nations, they are under to the State for protection while they remain within its limits.

While I beg to assure you that it is the sincere desire of the government and people of this State to cultivate the most friendly relations with Her Majesty's Government and people, I feel it my duty, for the reasons already given, to decline any modification of the order to which you refer in your communication.

With high consideration and esteem, I am, very respectfully, your obedient servant,

JOSEPH E. BROWN.

RICHMOND, VA., *August 8, 1863.*

Governor J. J. PETTUS,
Meridian, Miss.:

Your dispatch received. In what portion of the country do you advise that conscription should be suspended to enable a local force to be raised to operate on river transportation? The purpose indicated is approved, but it must be efficiently done, and so as not to prevent recruiting for Army.

JEFFERSON DAVIS.

HDQRS. DEPARTMENT OF THE TRANS-MISSISSIPPI,
Little Rock, Ark., August 8, 1863.

His Excellency T. C. REYNOLDS,
Governor of Missouri:

SIR: I am directed by Lieut. Gen. E. Kirby Smith, commanding the Department of the Trans-Mississippi, to request you will furnish from your State a brigade of cavalry, to consist of two or more regiments.

I have the honor to be, sir, very respectfully, your most obedient servant,

S. S. ANDERSON,
Assistant Adjutant-General.

STATE OF SOUTH CAROLINA,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Charleston, August 9, 1863.

Brig. Gen. THOMAS JORDAN,
Chief of Staff:

GENERAL: I have the honor herewith to inclose a copy of a letter from Col. J. Gorgas, Chief of Ordnance, addressed to His Excellency the Governor, in reply to a letter to the Secretary of War on the subject of arming 5,000 troops "for service within the State for six months." I am instructed by His Excellency the Governor to invite the attention of the commanding general to the condition annexed to the furnishing these arms, and to the fact that much delay will result from awaiting the approval of the mustering officer before the arms are sent to this place. It is proper, also, to state that these troops may not be mustered into Confederate service, as the organization embraces many conscripts who are allowed to remain in their companies only until the exigency shall have passed away. The Governor suggests that it would be well to have the arms ordered here at once, so that when the troops have arrived there will be no delay in arming them.

I have the honor to be, general, very respectfully, your obedient servant,

A. C. GARLINGTON,
Adjutant and Inspector General of South Carolina.

[Inclosure.]

ORDNANCE BUREAU,
Richmond, July 30, 1863.

Governor M. L. BONHAM,
Charleston, S. C.:

GOVERNOR: Your letter of the 24th instant to the Honorable Secretary of War, in reference to arming 5,000 conscripts for "service within the State for six months from August 1," has been referred to this Bureau. Please to cause requisitions to be addressed by colonels of regiments, showing the strength of the command, to Col. G. W. Rains, commanding C. S. Arsenal, Augusta, Ga. Requisitions must be approved by the mustering officer of the Confederate service.

Very respectfully, your obedient servant,

J. GORGAS,
Colonel and Chief of Ordnance.

CAMP NEAR FREDERICKSBURG, *August 9, 1863.*

The SECRETARY OF WAR:

SIR: Allow me to offer you my services, and if accepted I propose being the instrument that will remove at once and forever those persons—or a part of those, at least—who fill high places in the North, and whose object is the elevation of the negro, and, if necessary for their cause, would exterminate the people of the South. If, sir, you would furnish the ways and means that I could name the above object could be accomplished.

Yours, &c.,

R. STANTON.

(Care of Captain Pleasants, chief of ordnance, Hood's division.)

SPECIAL ORDERS, No. 189. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, August 10, 1863.*

* * * * * * *

VI. The chief of the Bureau of Conscription will direct all enrolling officers on the application of any officer of the First Engineer Regiment to cause volunteers for that regiment to be medically examined, and if accepted forwarded to the rendezvous in Richmond, where they will be assigned to divisions of the Army and selected for engineer service, as provided by the law approved March 20, 1863. He will further direct enrolling officers to notify promptly Lieut. Col. T. M. R. Talcott, First Engineer Regiment, at Richmond, or the nearest officer of the regiment, of all men applying to them with the desire to enter the same.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

CIRCULAR.] BUREAU OF CONSCRIPTION, *Richmond, Va., August 10, 1863.*

The extreme exigencies of the service demand renewed activity and energy on the part of commandants of conscripts and the officers under their command. You will therefore proceed as rapidly and vigorously as possible to the complete and perfect organization of your enrolling officers in every district and county within your State not actually occupied by the public enemy.

You will instruct your officers to pursue with increased vigilance and activity all legal means necessary to bring men into the service and to arrest and return to service all deserters, stragglers, and absentees, and for these purposes that they avail themselves of all such aid as can be obtained from the State authorities and from the patriotism of the people.

It is your duty to see that your officers are active, intelligent, and efficient, and that you sternly repair every delinquency by instantly reporting it to this Bureau. A large portion of the duty of preserving the armies is intrusted to this department. The superintendent is determined to have this duty performed to the full extent that the means provided by law will permit.

We have no right to yield to any influence which will diminish the efficiency of our efforts. You will therefore demand of your officers, as the superintendent demands of you, that every function intrusted to them be rigidly and vigorously fulfilled.

Delays in conscription, in arresting deserters and stragglers, and in sending them forward must not be permitted on any plea.

You will require your Congressional enrolling officers to report to you in person, and together, once in each month previous to forwarding your monthly report to the Bureau.

In these conferences you will obtain all the information they can communicate, and give special instructions urging continued activity and energy.

The result of the conferences you will state in your reports.

It would be well to require of your Congressional officers to visit in person each district or county just previous to your conference.

It is of the highest importance that this Bureau should have constant and accurate information concerning the proceedings and results of the enrolling service.

You will state freely what are the wants within your command which the Bureau or Government may supply; what impediments exist to the rapid execution of your functions, and suggest remedies for or indicate opinions as to the means of their removal.

Local and minute information is desirable concerning all such impediments.

While reports may be unnecessarily diffuse, they cannot be too minute in conveying information bearing upon the functions of this Bureau.

Your attention is especially called to the following matter:

First. The great abuse of details in Government works and with Government contractors. You will investigate and report minutely on all such details existing within your command, and whether the provisions of General Orders, No. 82, are rigorously enforced.

Second. The exemptions allowed in railroads, express companies, telegraph companies, factories, mills, mines, &c., will be fully reported on, that they may be revised and regulated in strict accordance with General Orders, No. 82, and instructions and subsequent orders.

Third. You will proceed under the recent call by proclamation of the President and under the act of Congress approved May 1, 1863, heretofore sent you, as rapidly as possible, keeping in view the necessary production and police of the country.

JNO. S. PRESTON,
Colonel and Superintendent.

(To Commandants of Conscripts.)

[AUGUST 10, 1863.—For agreement between Flanagin and Smith in relation to raising troops in Arkansas, see Series I, Vol. XXII, Part II, p. 962.]

[AUGUST 10, 1863.—For proclamation of Governor Flanagin, calling for volunteers from Arkansas to defend the State, see Series I, Vol. LIII, p. 889.]

AUGUSTA ARSENAL, *August 10, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War, Richmond:

SIR: I have the honor to request information relative to calling out the local force now being organized under your authority for the defense of Augusta and its vicinity. How far does my discretion extend in the premises, or have I any, except at the time of or immediately preceding an attack? It may happen that the threatening appearance of affairs may require a portion of such force to be called into service for the time being to guard the ferries and crossings of the Savannah River to prevent a surprise by a raiding column, which might move as rapidly as a courier through the interior of South Carolina. Indeed, there being no force heretofore at this city, I have been compelled to call on one of the local companies above to supply guards at the South Carolina Railroad Depot (in obedience to instructions from General Beauregard) to prevent improper persons leaving for Charleston; and this duty having taken many of its members from their usual employment, it would seem proper that they should be considered as having been regularly called into service for the time being and thus be entitled to the customary compensation for the same. It may become advisable to call one of the cavalry companies into service at an early day to guard the river crossings and act as couriers or scouts.

Very respectfully, your obedient servant,

GEO. W. RAINS,
Colonel, Commanding.

[Indorsement.]

AUGUST 15, 1863.

ADJUTANT-GENERAL:

The local companies may be called into service by the President at discretion and for such time as he may determine. This discretion Colonel Rains, as commandant, may be authorized to exercise till further orders.

J. A. S.,
Secretary.

CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT,
Richmond, August 11, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: Your letter of the 7th instant has been received. On the 11th of May last I had the honor to call your attention to the following act of Congress, approved May 1, 1863:

The Congress of the Confederate States of America do enact, That all persons serving in the land forces of the Confederate States who shall desire to be transferred to the naval service, and whose transfer as seamen or ordinary seamen shall be applied for by the Secretary of the Navy, shall be transferred from the land to the naval service: *Provided*, That nothing in this act shall be so construed as to alter or repeal any law now in force limiting the number of seamen.

Under and by notice of this act I requested of you the transfer from the Army to the naval service of about 600 seamen and ordinary seamen, giving their names and the companies and regiments to which attached, all of whom had applied to this Department for service in

the Navy. Not one of these men have been transferred. In your letter before me you say:

> Seamen should be selected and application made for them from the armies with which the vessels to be manned are co-operating, or from conscripts to be assigned. The transfers may then be ordered; but distant commanders, not appreciating the exigency for seamen, naturally present every obstacle to the transfer of their tried soldiers.

In reply to this I have only to say that I can recognize no other rule in applications for transfers than that prescribed by the imperative terms of the law. I am, of course, anxious that transfers shall be made to the Navy in the manner least detrimental to the Army, and I will be glad to confer with you on this point; and an examination of the list before you will show that this consideration has not been disregarded, and that the suggestion you make as to taking men from the armies with which the vessels wanting them are expected to co-operate has been anticipated.

Very respectfully, your obedient servant,

S. R. MALLORY,
Secretary of the Navy.

CIRCULAR.] CONFEDERATE STATES OF AMERICA
BUREAU OF CONSCRIPTION,
Richmond, Va., August 11, 1863.

The Secretary of War desires that through the Bureau of Conscription a complete military registration be made of all persons between the ages of eighteen and forty-five years. Commandants of conscripts will forthwith inaugurate and proceed to the execution of such measures as will most speedily and effectually attain the object proposed. They will cause rolls to be prepared by the enrolling officers, embracing—

Roll I. All persons hitherto accepted and sent forward as conscripts, and continue it up to date of report, marking the name and occupation.

Roll II. All persons who have been exempted, their occupation, the cause of exemption, and if by special authority it will be so stated.

Roll III. Persons who have been detailed, their occupation, to whom and for what purpose detailed, and by what order; a conjectural estimate, from the best attainable evidence, of the number of arms-bearing men remaining out of service. You will endeavor to obtain from the proper State officers a complete estimate of the number of men sent into the field, both in Confederate and State service. The details of this service are confided to the discretion and intelligence of the commandants of conscripts.

By command of Col. John S. Preston, superintendent:

P. N. PAGE,
Captain and Assistant Adjutant-General.

(To Commandants of Conscripts.)

[AUGUST 11, 1863.—For Davis to Lee, declining to relieve the latter from command of the Army of Northern Virginia, &c., see Series I, Vol. XXIX, Part II, p. 639.]

[AUGUST 11, 1863.—For General Orders, No. 109, Adjutant and Inspector General's Office, in relation to a general pardon for all officers and men within the Confederacy absent without leave from the Army, &c., see Series I, Vol. XXIX, Part II, p. 641.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., August 11, 1863.

Brig. Gen. G. J. PILLOW,
Marietta, Ga.:

GENERAL: In discharging the important duties intrusted to you in connection with the conscription service, by order of General J. E. Johnston, I wish you to bear in mind that you have been substituted almost entirely for the authority exercised heretofore by the Bureau in the general enforcement of the conscript law in the States of Tennessee, Alabama, and Mississippi, and will consequently come under obligation to execute the law in the fullness of its spirit and intent. That law requires that equitable assignment should be made of the conscripts drawn from each State to the various companies and organizations therefrom, wherever serving. I fear you may have supposed your duty was confined exclusively to recruiting the organizations in the armies of General Johnston and General Bragg. There are troops from those States serving elsewhere, especially in Virginia, and by the various incidents of war their numbers have been very greatly reduced. This is especially the case with the Tennessee regiments in the army of General Lee, which are reduced to mere skeletons.

A fair proportion of the conscripts from the States under your charge must, therefore, be assigned and sent forward to the organizations serving beyond the limits of the departments commanded by Generals Johnston and Bragg. I rely with confidence both on your recognition of the justice and expediency of this course and on your ready acquiescence and compliance with these views of the Department.

Your obedient servant,

JAMES A. SEDDON,
Secretary of War.

MERIDIAN, *August 11, 1863.*

His Excellency JEFFERSON DAVIS,
Richmond, Va.:

Your dispatch received. I do not advise that conscription be suspended in any portion of the State. I ask that Col. Jones S. Hamilton be permitted to raise a regiment of mounted men, two companies of artillery, to include men liable to conscription who have not been enrolled that may volunteer. I ask similar authority for Brig. Gen. J. Z. George in Northwest Mississippi and for Capt. S. Davenport in Northeast Mississippi. Nearly all the conscripts who would be enlisted in these regiments will be raised in districts where enrolling officers cannot get out the conscripts.

JOHN J. PETTUS.

GENERAL ORDERS, No. 110. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, August 12, 1863.*

I. The officers of ordnance duties in the Provisional Army, appointed under the acts of Congress of April 21 and September

16, 1862, will, until further orders, be distributed into grades, as authorized by the latter act, as follows: Four lieutenant-colonels, 9 majors, 65 captains, 40 first lieutenants, and 32 second lieutenants. Appointments to these grades will be made on the report of the Chief of Ordnance. Those officers serving in the field will also be reported by the generals commanding the army or department prior to appointment.

II. Ordnance officers on duty in the field will, as far as practicable, be assigned to command according to rank, as follows: Lieutenant-colonels to armies, majors to army corps, captains to departments and divisions, and lieutenants to brigades. No claim to promotion, however, will be recognized in consequence of assignment to any command.

III. Two ordnance officers, not above the rank of captain, may be allowed as assistants to the chief ordnance officer of an army, and one, not above the rank of first lieutenant, to the chief ordnance officer of an army corps. One assistant, not above the rank of second lieutenant, may also be allowed to the chief ordnance officer of a department, when absolutely necessary, upon application to the chief of the Bureau of Ordnance.

IV. The designation of the chief ordnance officer attached to commands will correspond with the designation of such commands; as, chief ordnance officer of the army of ———; chief ordnance officer of ——— army corps; chief ordnance officer of ——— department; ordnance officer of ——— division; ordnance officer of ——— brigade.

By order:

S. COOPER,
Adjutant and Inspector General.

RICHMOND, *August 12, 1863.*

JEFFERSON DAVIS,
President Confederate States of America:

MY DEAR SIR: As one of your officers, I beg leave to submit to your consideration the state of the section of Mississippi in which I have been detailed for duty. This portion of our country is, as you are aware, inhabited by very illiterate persons, and therefore a great leniency is due to them. A large number of persons are congregated in the counties of Harrison, Hancock, and Jackson who are either deserters or conscripts. As it will be most difficult (as I have shown to Lieutenant-General Pemberton in my reports to him) to arrest them and bring them again into the army, I would therefore propose that authority be granted me to reorganize all the companies from this section, to receive into new organizations all the deserters in this section, companies of artillery, cavalry, and infantry, under such officers as the Secretary of War and the commanding general shall designate, paying them their back pay, to be ascertained from the muster-rolls, without referring to the original commands.

I am, most respectfully, your obedient servant,

WILL. WREN,
Capt. and Acty. Asst. Insp. Gen., Sea-coast Section, Miss.

[Indorsement.]

Impossible. Deserters cannot hope for more than pardon on condition of returning to their posts.

J. D.

EXECUTIVE DEPARTMENT,
Charleston, August 12, 1863.

Honorable Mr. SEDDON,
Secretary of War:

SIR: I desire to call your attention to a great evil, which I learn, in part from officers in the departments, as existing in this State and doubtless in other States. I allude to the great number of strong and able-bodied men now employed in the Quartermaster's and Commissary Departments. These men, I am informed, may be found in all parts of the State, who, when called upon by the enrolling officers, exhibit exemption papers as purchasing agents. I respectfully suggest that this business may be as well performed by men over the age of conscription. I have every reason to believe that many of these agents spend as much or more of time in buying for themselves than for the Government. I doubt not that in every part of the country high-minded and patriotic citizens, not liable to conscription, can be found to make these purchases much more satisfactorily to the community and at much less cost to the departments. I therefore recommend that the quartermasters and commissaries be ordered not to employ men in this business who are under the age of conscription.

Very respectfully, your obedient servant,

M. L. BONHAM.

[First indorsement.]

AUGUST 17, 1863.

Referred for the consideration first of the Commissary and then of the Quartermaster General.

J. A. SEDDON,
Secretary of War.

[Second indorsement.]

Contents noted and respectfully referred to Quartermaster-General.

L. B. N.

[Third indorsement.]

AUGUST 19, 1863.

Read and respectfully returned to the Secretary of War.

A. R. LAWTON,
Quartermaster-General.

[AUGUST 12, 1863.—For Gano and Terry to Magruder, in relation to difficulties attending the organization of militia in the border counties of Texas, see Series I, Vol. XXVI, Part II, p. 159.]

GENERAL ORDERS, No. 111. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, August 13, 1863.

Quartermasters who are purchasing supplies, and who have means of transportation at their command, are directed to assist, as far as practicable, the quartermasters receiving the tax in kind in transporting the supplies collected from their depots of collection to the issuing depots of the Army. They will also permit their store-houses to be used for the storage of articles of the produce tax.

By order:

S. COOPER,
Adjutant and Inspector General.

CIRCULAR. | BUREAU OF CONSCRIPTION,
Richmond, Va., August 13, 1863.

You will enforce the conscription, without exception, of all clerks liable to military service in the Quartermaster's and Commissary Departments.

You are authorized to grant thirty days' indulgence, when proper. Inform the applicants that it is unnecessary for you to refer to the Bureau, which has no power to grant more. Should they desire to press an application for a departure from this rule on special grounds, inform them that the War Department has indicated that such applications are to be made direct from the disbursing department concerned and not through this Bureau.

JNO. S. PRESTON,
Colonel and Superintendent.

(To Commandants of Conscripts.)

PROVOST-MARSHAL'S OFFICE,
Mobile, August 13, 1863.

Col. GEORGE G. GARNER,
Chief of Staff, Mobile, Ala.:

COLONEL: I have the honor to report that in obedience to Special Orders, No. 500, from headquarters Department of the Gulf, dated at Mobile, August 9, 1863, and to instructions from the same dated August 10, 1863, I have proceeded to Montgomery, Ala., and there seized in the hands of G. G. Steever the following assets, all belonging to the Bank of Louisiana, in New Orleans, viz: Two bags of coin, amount unknown, and which I caused to be sealed in the presence of said G. G. Steever and of Major Jones, commanding post at Montgomery, Ala.; an order of Walsh, Smith & Co., dated at Mobile, October 8, 1862, on the Bank of Montreal, Canada, for 150 bonds of £225 each of the Mobile and Ohio Railroad, with coupons due November, 1861, and May and November, 1862, and a package of cotton receipts supposed to be for about 3,900 bales of cotton. All the above effects were by me deposited with the Farmers' Bank of Alabama, in Montgomery, for which I took duplicate receipts, herewith inclosed, and dated August 11, 1863. I also inclose duplicate of the order of Walsh, Smith & Co., above mentioned.* ·

All of which is respectfully submitted.

I remain, colonel, very respectfully, your obedient servant,

J. C. DENIS,
Major and Provost-Marshal.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF THE GULF,
Mobile, Ala., August 13, 1863.

Respectfully forwarded for information of Secretary of War.

DABNEY H. MAURY,
Major-General, Commanding.

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* See second indorsement hereon.

[Second indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
August 22, 1863.

Respectfully submitted to the Secretary of War. The inclosures referred to within were not received at this office.

H. L. CLAY,
Assistant Adjutant-General.

STATE OF GEORGIA, ADJT. AND INSP. GENERAL'S OFFICE,
Milledgeville, August 13, 1863.

General S. COOPER,
Richmond, Va.:

MY DEAR GENERAL: As there is a necessity for getting the 8,000 men called for from this State organized rapidly, and as the rolls are coming in, I have thought that, without being officious, I could suggest privately, that if it be your intention to appoint generals for these men that if you will do so at once and direct them to come or send their adjutants-general to this office they could organize their respective commands in three or four days, as there they will find the rolls and the quota called for from each county, so that the apportionment of their force can be known to them at once. A Major Lallerstedt, of Augusta, who was wounded at Sharpsburg, would like a position of colonel of one of the regiments. He is a lawyer and I believe stands well. My personal acquaintance with him is slight, but I hear him well spoken of. As he has seen service his experience may be of use to you. I am at present at Cartersville, commanding the State forces and covering General Bragg's communication with Atlanta by the State road, but should you conclude to appoint your generals and send them here (Milledgeville) I will run down and facilitate their work with pleasure. It will give me pleasure to aid you in any manner that I can.

Very truly, yours,

HENRY C. WAYNE.

CIRCULAR.] STATE OF GEORGIA,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Milledgeville, Ga., August 13, 1863.

The numerous inquiries addressed to this office by letter and in person (amounting to about 150 per day), arising from the recent call of the President for 8,000 men from this State, renders it impossible for this office to give answers in each case; hence this circular for public information.

I. It is useless to apply for exemptions or details in cases of physicians, teachers, blacksmiths, millers, tanners, shoemakers, overseers, owners of plantations, civil officers, &c., or because the parties are deemed useful at home. Contractors for State supplies must be indorsed by the quartermaster-general or commissary-general of the State as to the existence and importance of their contracts. Contractors of supplies for the Confederate Government must produce certificates of exemption from the chief of the department under which they have contracted. The force now being raised is intended merely as an organized reserve for home defense. Its service will be required only for and during an emergency seriously threatening the safety of the State. Otherwise the ordinary avocations of the people

will not be interfered with only so far as the Confederate commander may deem necessary for the drill and discipline necessary to make the force effective.

II. Persons having substitutes in the Confederate Army, whatever may be the ages of the substitutes, are not exempt from service for local defense. The terms of the contract of substitution will show that the parties are relieved only from service in the Confederate Army under the conscript law, which is essentially different from service under the acts providing for service for local defense.

III. Substitutes for service under the acts providing for local defense will not be received.

IV. Slight irregularities in the management of a draft will not vitiate and set aside the whole proceeding. If by neglect or oversight the names of any persons not volunteering have not been deposited for draft and the quota of the county remains unfilled, such persons will be attached to the list for further draft until the quota shall be made up. If from conscription, disability, or other cause the number volunteering shall be reduced below the quota of any county, the quota shall be supplied by draft. Reports under these heads must be made forthwith.

V. After the quota of the counties are supplied, other companies for local defense will be accepted and commissioned. Several tenders of this kind of persons over the age of forty-five years have been made, and their example is commended for imitation.

VI. Transfers will not be made now, but will be presented to the Confederate general who may be placed in command for consideration.

VII. Appraisements of horses can be made by any three respectable citizens sworn to the duty.

VIII. Companies must be organized as the law requires into squadrons, battalions, or regiments. Legions are not known to State or Confederate laws. Under our systems they are anomalous organizations that must be dissolved when brought into action unless they number 5,000 men or more, when they can be handled as divisions, to which the legion in old times corresponded.

IX. Under the laws for local defense the President has the appointment of all quartermasters, commissaries, and medical officers. Applications therefore for such commissions should be made to the Secretary of War.

X. Applications for arms, accouterments, and equipments must be made to the Secretary of War at Richmond, the Confederate Government having undertaken to arm and supply all troops mustered into its service.

XI. For laws providing for local defense see acts of March 6, 1861, August 21, 1861, October 13, 1862, Confederate Congress.

XII. Papers throughout the State are requested to publish this circular once and send bill to this office for settlement.

HENRY C. WAYNE,
Adjutant and Inspector General.

RICHMOND, VA., *August 13, 1863.*

Governor J. J. PETTUS,
Meridian, Miss.:

The act of April 16, 1862, devoted all men subject to enrollment to the purpose of filling up existing companies. The act of October 11,

1862, authorized the suspension of the law for enrollment in certain localities and new organizations where conscription could not be made. Your application must be brought within these conditions to warrant the incorporation of the conscripts in the proposed new organizations. Exempts form the proper material for local defense, and unless Mississippi furnishes conscripts to her regiments, most distinguished and consequently reduced by battles, they must be broken up for the want of men to bear banners covered with honorable inscriptions.

JEFFERSON DAVIS.

SPECIAL ORDERS, No. 193. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, August 14, 1863.*

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XIV. Col. William H. Stiles, Sixtieth Georgia Volunteers, is temporarily detached from his regiment for the purpose of raising a force of non-conscripts for the protection of the upper portion of Georgia.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

MOBILE, *August 14, 1863.*

[Hon. J. A. SEDDON,
Secretary of War:]

SIR: I feel that it is my duty to write you once more in relation to the conduct of the war in this part of our country. The impression is becoming general that the President will retain Pemberton in command here, and it is creating alarm in some, despondency in others. Now, I shall express no opinion as to his military conduct. It may have been good; but one thing I will express: It will, in my judgment, produce mutiny, desertion, and bloodshed among our own troops; it will break down the last hope the people have of success, and it will be the prostration of the Administration in Alabama and Mississippi. Do not suppose I write from foolish whims. I write and speak from the great volume of public opinion, both of his army and the community. I have written the President, also Mr. Watts, on the subject. I have no prejudice against Pemberton, but I do feel a deep interest in the country, and I know that under his command the country will feel overthrown, and such will be the final result. If this letter be considered censurable I wish it borne in mind that while I myself may think his conduct well enough, I know that public opinion is so fixed against his capacity to command and to administer military authority over the country that under his command ruin will follow.

I am, very respectfully, yours,

E. S. DARGAN.

[First indorsement.]

AUGUST 23, 1863.

Respectfully submitted for the consideration of the President.

It expresses strongly a feeling of which I have many indications as deeply pervading the people of the southwest.

J. A. SEDDON,
Secretary.

[Second indorsement.]

The justice or injustice of the opinion will be tested by the investigation ordered.*

J. D.

WILMINGTON, *August 14, 1863.*

General G. T. BEAUREGARD,
Comdg. Dept. of South Carolina, Georgia, and Florida:

GENERAL: I have the honor to inclose to you two letters from the Secretary of War, of the 11th and 12th instant, in reference to securing at least half the tonnage of private steamers for carrying out cotton for account of the Government. I am advised here that the number of steamers now in Charleston is very limited, and that Mr. J. M. Seixas, special agent of the War Department, has already been in communication with most of the owners of these steamers under a telegram sent to him; that he feels assured of your hearty co-operation in all that is expressed by the Secretary of War. Under these circumstances, I respectfully ask that you will give to Mr. Seixas the assistance asked for to me and enable him to carry out the wishes of the War Department.

Very respectfully, your obedient servant,

THOS. L. BAYNE,
Major, &c.

[Inclosure No. 1.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., August 11, 1863.

General G. T. BEAUREGARD,
Commanding, Charleston, S. C.:

GENERAL: The shock sustained by our credit abroad, together with the state of our currency here, the probability that our sea-ports may be either wrested from us or more closely invested, and in view of the necessity for resources abroad, render it indispensable that we should at once export, on account of the Government, as large an amount of cotton, tobacco, and naval stores as, by any practicable means, we can accomplish. We must use for this purpose all vessels suitable for evading the blockade now in our ports, and unless satisfactory arrangements can be made with the assent of the owners, we have no alternative but to resort to impressment. I have of late been endeavoring to effect, by arrangement with the owners of such vessels, that they should permanently run their vessels, taking out one-half of their cargoes on account of the Government on liberal freight; they to be furnished by the Government with entire cargoes of cotton, and to receive their freight in cotton as part payment of their half of the outward cargo, and so bring in such supplies as the Government will prescribe in payment of the balance of such half, their share of the cotton and the articles brought in in return therefor being estimated at moderate, but remunerative, market prices; the residue of the cargo to be brought in to be subject to something of general regulation as to the class of articles, so as to proscribe liquors or mere luxuries, for example, but allowing a large latitude among useful articles to their own discretion. Such an arrangement, as a continuous one, I decidedly prefer to the necessity of impressing and running these

* In connection with this subject, see note in brackets, under date of August 4, 1863, and the foot-note attached thereto, Series II, Vol. VI, p. 177.

vessels permanently on Government account, and with all such owners as will make this arrangement I will even yet forbear from impressing. At the same time, to all accessible to patriotic motives I wish you earnestly to urge that, in addition to such arrangement, as a continuous one, they should in this special emergency place their ships for a single voyage at the entire freightage of the Government, the freight to be paid them hereafter in cotton to be exported by them.

They could not render more efficient service to the Government, or exhibit patriotic zeal which would be more gratefully appreciated, than by complying with this earnest request. Where neither the continuous arrangement, of which I have spoken, nor this more liberal concession of the present use of the vessels can be obtained, you will proceed, complying with the terms of the law of impressment, to seize all suitable vessels in port and to prepare them to sail on with cargoes on Government account at the earliest practicable time.

Instructions will be given to Mr. Seixas, the agent relied on to provide cotton and other exports, to be prepared to furnish on your requisition, of which you will give him as early notice as you can, such quantities of cotton and other stores as under this mode of procedure you can arrange to export.

Lists of articles to be purchased and brought back as return cargo will likewise, as far as possible, be forwarded and articles provided at the ports.

Should the Government, as is probable, not be able to furnish full cargoes on the return of the ships, such articles as the owners may desire will be cheerfully brought in on their account if provided by them at islands. I invoke your early attention to these instructions with your zealous efforts for their prompt execution.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

P. S.—Mr. Seixas will be directed, under your instructions, to apply to the owners of these steamers to ascertain if he can make an agreement with them to carry out the views herein indicated, and you will please lend him all the influence in your power.

J. A. S.

(NOTE.—Same to Generals W. H. C. Whiting and D. H. Maury, with the exception that in the letter to General Maury the paragraph commencing "instructions will be given to Mr. Seixas," and ending "you can arrange to export," and the postscript, are omitted.)

[Inclosure No. 2.]

WAR DEPARTMENT,
Richmond, August 12, 1863.

General G. T. BEAUREGARD,
Commanding, &c.:

GENERAL: I wrote you fully on yesterday of the important consideration that required the immediate export abroad on account of the Government of as large a quantity of cotton, &c., as could be practically forwarded, and of the means the Department had resolved to adopt to accomplish the end. This letter having been delayed by some mischance, I have felt so anxious to secure the due execution of my purpose that I have resolved to send in charge of it Maj. Thomas L. Bayne, who has been for some time past charged in this Department with the duty of supervising the running of the steamers of the Department and exportation of produce abroad for its account, and

to commit to him, under your supervision and direction, the execution of the plan and arrangements proposed in my letter. You will therefore please allow him, in conjunction with the commercial agent of the Department at Wilmington and Charleston, Mr. Seixas, every facility and the aid of your influence in making arrangements and contracts with the owners of vessels suitable to evade the blockade, and only in case of their failure resort to the extreme measure of impressment. I am reluctant to be reduced to that necessity, but must reiterate my instructions, that assent being withheld to reasonable arrangements required by the needs of the Government on the part of the owners, you will, being careful to conform to the forms of the law, employ the agency of impressment to secure the end proposed.

With high esteem, most truly, yours,

JAMES A. SEDDON,
Secretary of War.

[AUGUST 14, 1863.—For E. Kirby Smith's orders for the enrollment of all Government employés liable to conscription, see Series I, Vol. XXII, Part II, p. 967.]

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT, BUREAU OF CONSCRIPTION,
Richmond, Va., August 15, 1863.

The following expositions of law and orders received from the War Department are communicated for the information and guidance of officers of conscription:

1. In regard to assessors and collectors of Confederate revenues:

WAR DEPARTMENT, *August 10, 1863.*

THE SECRETARY OF WAR:

All collectors and assessors of the Confederate taxes who were appointed before the issuing of the proclamation of the President, and who are within the ages of forty and forty-five, are exempt.

The clerks appointed by them are not exempt, nor should the appointments to be made be from those liable to enrollment as conscripts.

J. A. CAMPBELL,
Assistant Secretary of War.

Indorsement of Assistant Secretary approved.

J. A. S.,
Secretary.

2. In regard to agents of Quartermaster's Department for collection of taxes in kind:

WAR DEPARTMENT, *August 10, 1863.*

BUREAU OF CONSCRIPTION:

Such of the agents of the State or district quartermasters for the collection of taxes in kind whose appointment was made prior to the President's proclamation for conscripts between forty and forty-five, and who are represented to be necessary for the performance of the duties assigned to them by the State or district quartermaster, may be exempted.

The agents hereafter to be made must be of persons exempt from conscription, and no person will be exempt except after a special application and upon an order from this Department.

By order:

J. A. CAMPBELL.
Assistant Secretary of War.

By command of Col. John S. Preston, colonel and superintendent:

P. N. PAGE,
Captain and Assistant Adjutant-General.

(To Commandants of Conscripts.)

ENTERPRISE, MISS., *August 15, 1863.*

Col. G. W. LAY,
Asst. Adjt. Gen., Bureau of Conscription, Richmond, Va.:

SIR: In a former communication to the Bureau I stated the number of deserters, stragglers, &c., in this State, from the best information I could get, to be at least 5,000, and that causes were at work which I feared will greatly augment the number, and I reserved the statement of those causes for another communication. I proceed now to give it. With the administration of the Department of Mississippi under General Pemberton I have nothing to do, and, indeed, I may say that not having a sufficient knowledge of the fact, I have no opinion, and if I had I should not deem it proper to express it in any communication to the Bureau. But it seems to me that I should fail in my duty if I did not make known to the Bureau, as a part of the history of the times, what is occurring here having a tendency to increase the number of stragglers and deserters from the Army at a time of all others in our history when that Army most needs strengthening. The people of this State, whether justly or unjustly, are most unanimous and bitter in their denunciation of General Pemberton, and protest against his being assigned to any command in this department. The army lately under his command, officers and men, it is said, solemnly declare that under no circumstances will they ever again organize for service under him. Some have sworn that they will band themselves together and by force of arms resist any effort to return them to the service. The people and the army seem to be in entire harmony upon this point. If under these circumstances the soldier refuses to return to his regiment, the public sentiment which, under other circumstances, would drive him back to the service, sympathizes with him and sustains him in his violation and disregard of duty. I see some of these men nearly every day, and I hear their declarations upon this subject with pain, because I believe that there is a fixed and resolute determination upon their part which must necessarily impair the efficiency of the army and may most probably lead to bloody conflicts among our own people. A large meeting was held at this place on the 13th ultimo, and every remark that even by implication might be taken as a censure of General Pemberton was received with loud and unanimous applause. The best and strongest friends of the Administration and of the cause of the South among the speakers did not hesitate to declare that it would never do to assign General Pemberton to duty in this department, and they declared that the army could not be reorganized under him, but that if it were known when they reached the rendezvous at Demopolis they would be assigned to the command of some other general they would promptly rally again to the call of the country, and enter with renewed zeal and energy upon their duties, resolved to retrieve the losses that have recently befallen them. I repeat, that nothing but a sense of duty would have prompted me to write this letter, because toward General Pemberton I had the kindest personal feelings, and I am one of the last to condemn any officer upon popular outcry or to judge him by the opinion of the general public.

I have the honor to be, your obedient servant,

T. P. AUGUST,
Col. 15th Virginia Regt., Insp. Officer, Bureau of Conscription.

BALLARD HOUSE, *August 15, 1863.*

Hon. J. A. SEDDON,
Secretary of War:

SIR: I accepted the position of volunteer aide on Major-General Stuart's staff in the hope of rendering some little service by making myself practically acquainted with the causes of the present condition of the cavalry and in doing what I could to aid General Stuart in his zealous efforts to increase the strength and promote the efficiency of his command. With this view I respectfully beg to submit to you the inclosed letter from Colonel Chambliss (whose experience, intelligence, and gallantry are so well known to the army), which contains, I think, some valuable suggestions. The letter was intended solely for my own information, and if by transmitting it to the Department I transgress any rule of the service or of conventional propriety, I feel assured that a sufficient apology both to Colonel Chambliss and yourself will be found in my anxious wish to promote the good of the service.

I am, most respectfully, your obedient servant,

A. R. BOTELER.

[Inclosure.]

HEADQUARTERS LEE'S CAVALRY BRIGADE,
August 10, 1863.

Col. A. R. BOTELER:

COLONEL: In compliance with your request, I will briefly touch upon those points which in my opinion demand the consideration of our authorities in advancing, recuperating, and promoting the efficiency of the cavalry service, and call attention to the causes that have produced the difference which now exists between its present condition and that of a few months ago. A great disparity exists between the effective cavalry force of the enemy and ours. Especially, in view of the probability that their advantages in this respect may be vastly increased, it is most important that our cavalry be placed upon an equality with theirs. Should it be deemed compatible with the public interest, there is no doubt that at this time, particularly under a proper recruiting system projected in the different counties of our State especially, many valuable acquisitions to our now shattered ranks would accrue to us. Hundreds of details have been made from the cavalry of men to easy places in quartermaster's, commissary, or medical departments, and no orders can force or invoke these detailed men to their commands when their employers declare it incompatible with the public service that they should be ordered back. Their places can be easily supplied by competent, crippled or otherwise, disabled soldiers.

The superiority of the enemy's cavalry armament, coupled with their better ammunition, is a point demanding prompt attention. It is accorded that no arm for mounted service can be compared to the breech-loading carbine. Dismounted fighting with the carbine on the part of the enemy has become very popular, and comprises the best share of their fighting. The inferiority of our armament and ammunition tends to inspire the one not at all and to make bolder the other. It would seem that not a very high degree of mechanical skill is required in perfecting the present Richmond carbine made after Sharps patent, or that it is not impossible to provide a sufficiency of such arms put up in the very best style of manufacture

abroad. Encouragement to inventors and experimentalists in perfecting and putting up not only such arms but fixed ammunition, with a view to its preservation in wet weather and under rough handling, will go far toward arresting the wholesale waste and destruction of powder and lead.

The sabers issued by the Department are miserably inferior weapons, estimated at so low a value by the soldier, and really of so little account, that they are soon lost or cast away as worthless. The soldier will prize a good weapon, the quality of which will inspire him with pride for its good keeping and confidence when in contact with his foeman's steel.

The saddles issued by the Ordnance Department are dreaded, ridiculed, and avoided by officers and men, and are used only through necessity, seldom without proving ruinous to the backs of horses. Though samples of the best approved saddles can be had anywhere, it is strange that no trees can be manufactured comparable to the McClellan saddles, when as much time and material is consumed in constructing the miserable apologies issued to the cavalry in imitation of the above-named saddles. It would seem that a board of suitable and enterprising officers would take pleasure in instituting inquiry on this subject and in arresting the useless waste of material in the manufacture of these Confederate saddles.

Other parts of the cavalry soldiers' equipments furnished by the Government might be greatly improved, but are of inferior moment to those already mentioned. Above all other considerations rises the question now causing much dissatisfaction and disorganization in the cavalry, "When am I to get another horse, and how can I buy one at the present prices after I have lost so many without any compensation from the Government?" The provisions of the bill passed by Congress allow payment for those horses only killed in action. I know that a majority of my most efficient men have lost from one to five horses, broken down by the hardships of the service, and a small minority of horses lost in the service are killed in action. It is with great reluctance that an officer can exchange or part with an accomplished and experienced cavalry soldier whom he finds dismounted through such circumstances, and is pecuniarily unable to provide himself forever and ever with horses. The good soldier of this dismounted class of two or more years' experience is too valuable to be parted with, and some provision should be made to supply such men. Although there are many in this service who for various reasons should be transferred to other branches of the service, and there are many infantrymen who are applying for transfers to the cavalry, and such transfers would greatly recruit and strengthen us, still the objections raised by company and field officers of the infantry render such exchange nigh to an impossibility. I would suggest that you call attention not only to the foregoing matter of this paragraph relative to the providing payment for horses lost by being disabled, broken down, exhausted, and left within the enemy's lines, &c., but also to rendering exchange a matter easier to be effected. There is a crying want of veterinary surgeons to be attached to and to accompany the cavalry to provide medicines and proper treatment in the field and camp for such horses. The establishment of a veterinary hospital in some locality secure from cavalry raids, convenient and accessible to the main railroad communications, where cheap sheds or coverings for the winter season might be erected, where surgeons and farriers might be appointed, with the labor of hired negroes to attend to the horses,

would greatly enhance the efficiency of the service; would put a stop to straggling and lurking behind with the shadow of an excuse, and effectually hush the discontent arising from the necessity of having to retain invalid horses in the field and of making worthy cavalry soldiers involuntary members of the foot battalion for any length of time.

The chief and main cause of the present dismembered and shattered state of our ranks has been the want of horseshoes and horseshoe nails, forges, and transportation therefor. Provide every soldier with shoe pouches and shoes to put in them, and fewer dismounted men will harass the service. A greater number of blacksmiths should be retained and employed in each regiment.

Drilling is indispensably necessary to rendering troops thoroughly efficient. The force of cavalry now confronting the enemy is so small that every man is on picket or outpost duty for a majority of the time, and the horses are so constantly employed that a horseback drill is dreaded. With increased numbers we would be more upon an equal footing with the enemy and be enabled to withstand the various shocks incident to a service having so small an effective force of cavalry. During the late expedition into the enemy's country many valuable horses were lost owing mainly to the want of shoes, which failed to arrive and be provided before the start. Men became dismounted, separated from their commands, and thus left behind from the impossibility of keeping a pace with the mounted men [had] to find places of safety and to congregate in masses of "Qs." I have hastily drawn attention to the main causes of disorganization and dismemberment in this branch of the service, and in view of the vastly superior resources of the enemy and their superior strength, prompt remedies are imperatively demanded.

I have the honor to be, colonel, your obedient servant,

JNO. R. CHAMBLISS, JR.,
Colonel, Commanding Lee's Cavalry Brigade.

[First indorsement.]

AUGUST 20, 1863.

Referred to the Ordnance Bureau. Special attention called to this letter of Colonel Chambliss and its strictures in matters coming within the functions of your Bureau.

J. A. S.,
Secretary.

[Second indorsement.]

AUGUST 24, 1863.

Respectfully returned.

Contents noted. A good breech-loading carbine is now making here in small numbers. No reliable carbines except muzzle-loaders are to be obtained abroad. Cavalry officers are not all agreed as to the value of the breech-loading carbine, and officers of great experience pronounce in favor of the muzzle-loading carbine. As the latter can be produced when the former cannot, I have ordered a model to be prepared, and have had it submitted to General Stuart for the criticism of his officers. As soon as its main features are settled it will be adopted. The cavalry saddles made here on Jenifer patent have only very recently been decried by officers. Until the past three months they were fully approved by cavalry officers, including General

Stuart. The McClellan tree will, however, now be used, as the general testimony of officers has lately been decidedly in favor of it.

J. GORGAS,
Colonel.

[Third indorsement.]

AUGUST 25, 1863.

Communicate the indorsement of Colonel Gorgas to Colonel Chambliss.

J. A. S.,
Secretary.

HENRY COURT-HOUSE, VA., *August 15, 1863.*

SIDNEY SMITH, Esq.,
Richmond, Va.:

DEAR SIR: I have been intending to write to you for some time. My health is bad and has been for several months, and by order [of] the surgeons in Richmond I have been transferred to the mountain region with hope of restoring my health. I am, I hope, somewhat improved. Since I have received my leave of absence I have been traveling about considerably, and find to my great surprise a most unfortunate state of things existing in many of these upper counties. In parts of Bedford, in portions of Botetourt, Roanoke, Montgomery, Giles, Floyd, Franklin, Patrick Henry, and portions of Pittsylvania, &c., the people seem completely demoralized, and this state of things exists to a great extent among the best citizens. They think and say we are whipped and are bound to be overrun and subjugated. The impression has very extensively obtained that our Army is dispirited and is deserting by hundreds; that whole regiments have [left] at a time; and the upper counties in North Carolina are much worse than those that I have mentioned, so I learn. A good many deserters are passing the various roads daily, and greatly increase the demoralization. These deserters almost invariably have their guns and accouterments with them, and when halted and asked for their furloughs or their authority to be absent from their commands, they just pat their guns and defiantly say, "This is my furlough," and even enrolling officers turn away as peaceably as possible, evidently intimidated by their defiant manner.

They are accumulating a vast number of muskets, &c., in all this country, and avow that they shall be used against the Confederacy if there is any attempt to arrest them; and the depredations which they are committing are immense and outrageous. The papers are advising and urging the people to send them off and not feed nor lodge them, but these gentlemen editors know just nothing about it.

These deserters go in companies of from six to fifteen or twenty, and when they want anything they just demand it under threats of the most terrible violence; and if any citizen dares to give any information in relation to them, or even says anything disapprobating desertions from the Army, the next thing his house is burned, he waylaid and murdered, or beaten nearly to death. Many of these cases have occurred, more particularly recently. The people in many places are in continual alarm.

Little or no attention is paid in these counties to the order to organize for home defense, and but very little assistance can be had in

arresting deserters, and consequently but few arrests are made. The people are afraid to do anything, and then they are so cowed and dispirited that they do not think it worth while to make any attempt in these matters.

Now, I know this people, as you know I canvassed several of these counties getting volunteers early in the war. They need information, and how shall they get it? The newspapers of the day do not give it to them. The papers on the whole increase the demoralization so far as their influence goes, but there are very few who read the papers at all. The price of a newspaper now is such that very few will pay it; consequently very few papers are read, and unless they were of a different character it perhaps is well that they see no more of them than they do. What, then, is to be done? for this country is gone if some[thing] is not speedily done.

The only thing that I know of is to select speakers of suitable ability and of proper characters and let them go through these counties and address the people, and give them the information about the country and the Army which it is clear to my mind they greatly need. I confess it is a most provoking state of things and should be corrected at once, and this is the only possible plan to do it that I see. There are hundreds of men through this country—aye, I may say thousands—who ought to be in the service, but there is not moral force enough in the country to bring them out, and from some cause the officers whose duty it is do not do it.

If you think the subject worth his attention, you can show this to General S. Cooper.

The children are both well, and all join me in love to you.

Very affectionately, yours, &c.,

J. E. JOYNER.

[First indorsement.]

AUGUST 18, 1863.

Respectfully referred to Col. J. S. Preston, in charge of Bureau of Conscription.

JNO. WITHERS,
Assistant Adjutant-General.

[Second indorsement.]

BUREAU OF CONSCRIPTION,
Richmond, August 19, 1863.

Respectfully referred to Colonel Shields.

By order of Colonel Preston, superintendent:

C. B. DUFFIELD,
Assistant Adjutant-General.

[Third indorsement.]

CONSCRIPT OFFICE,
Richmond, August 28, 1863.

Respectfully returned.

The information concerning deserters has long since been known; all the proper remedies so far as at my command applied, as the report of the district officers will show; but the burden of the writer's efforts appears to be directed to the necessity of sending out informed speakers and to give newspaper editors information. The communication is therefore respectfully returned, with the answer to the Bureau that all

the agencies under my control have long since been directed to arrest desertions, all with good results, but the evil continues on the increase.

J. C. SHIELDS,
Colonel, Commanding.

[Fourth indorsement.]

BUREAU OF CONSCRIPTION,
Richmond, August 29, 1863.

The attention of the Adjutant and Inspector General is respectfully invited to the indorsement of Colonel Shields, showing that all the means at the command of this Bureau have been exerted to arrest and return deserters to their respective commands.

JNO. S. PRESTON,
Colonel and Superintendent.

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
SURGEON-GENERAL'S OFFICE,
Richmond, Va., August 15, 1863.

Medical directors of hospitals will organize at each hospital station a board of medical officers, to be consulted by the surgeon in charge in all important surgical cases, or when an operation is deemed necessary; and when delay is practicable, no important operation will be performed without the sanction of this board.

S. P. MOORE,
Surgeon-General C. S. Army.

[AUGUST 15, 1863.—For Lee to Cooper, in relation to measures to compel the return of absentees to their commands, see Series I, Vol. XXIX, Part II, p. 647.]

[AUGUST 15, 1863.—For proceedings of a conference of the Governors of the Trans-Mississippi States at Marshall, Tex., see Series I, Vol. XXII, Part II, p. 1004.]

BUREAU OF CONSCRIPTION,
Richmond, Va., August 17, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have assumed control of the Bureau of Conscription, have looked into the progress of its functions, and have endeavored to initiate such proceedings as in my judgment may promote its efficiency. It is my duty to ask your attention to such matters as seem to me to require the interposition or the sanction of your authority. I will do so frankly and continually as occasion demands. I have ordered the completion of the organization for conscription, which I find has not as yet been perfected in any one State. The agencies prescribed by law have not been brought into action, I suppose, mainly because they could not be furnished by the Department and for a variety of other sufficient reasons, such as the occupation of territory by the enemy, the absence of the necessity for full force in

certain localities, the difficulty of obtaining competent officers, the special agencies substituted in certain cases for the general provisions made by law.

In many localities the appointment of enrolling officers has not been complete. In others State authorities have been used for enrolling purposes. I have ordered the completion of the staff according to law and the substitution of the prescribed officers for the State officers hitherto used. My purpose is to obtain all such aid from the State authorities as they will furnish, but not to substitute them for the proper officers prescribed. I regard it of vital importance to the success of the measures intrusted to this Bureau that the co-operative action of the State authorities should be obtained. All possible effort should be used for this purpose.

I would respectfully suggest that it is of sufficient import to warrant such negotiations as can only be instituted by the highest authority. The ramifications of Confederate agencies do not reach the requirements made of this Bureau. State agencies must be employed, and at this time that can only be done through arrangements not within the competency of this Bureau. As far as that competency extends, it will be vigorously used to obtain official aid and to conciliate the patriotism of the people to the same end.

But even if successful in procuring these valuable adjuncts, it is my duty to state that the agencies authorized by the Government for conscription and for the other functions pertaining to this Bureau are not sufficient for the ends proposed, and that, in my opinion, the substitution for them of the military force, as in Florida, Mississippi, Alabama, and Tennessee, is not a remedy, but an additional drawback. The true remedy is to put additional agencies under the control and the call of this Bureau.

First. In addition to the allowance of one officer to each county or district, there should, at the discretion of the commandants, be from two to six disabled soldiers, as conscripts, assigned for local service; two of them to be mounted.

Second. Commanders of armies, posts, garrisons, &c., should be required to furnish all proper aid to enrolling officers.

Third. Negotiations should be authorized through this Bureau with State Executives to obtain all the aid which can be given for the efficient enforcement of the law.

These things will contribute to the success of this Bureau, but there is one matter vital to it. The main cause of past inefficiency, of present difficulty, and of what will be certain failure, is the departure from the principle of paragraph XIII, General Orders, No. 82, 1862: All impressments (or recruiting ought to have been added), under any pretense or authority whatever, are prohibited, it being the design of the Department to supply the Army exclusively through the agencies of the Bureau of Conscription.

Had the adjuncts I have indicated been used, and this purpose rigorously and relentlessly adhered to, even under the glaring defects of the law, the conscription law would have been as smooth in its execution and as sure of its results as the tax law, or the election law, or any other customary law of the country.

The first severe and almost death-blow was struck by the circular order, 8th January, 1863. The system staggered, and repeated blows since, in the form of recruiting for special organizations, the military control given in four of the States, unrestricted volunteering, &c., have weakened it down to the condition of some of our cavalry corps, with

scarce strength left to brush away the vermin which now attack it in the form of details for railroads, telegraph offices, express offices, &c.

Give the agencies I have indicated, and make paragraph XIII, General Orders, No. 82, 1862, into a general order in the following words, and I will promise that in six months the military force under the law will be in the field:

> All impressments, recruiting, or volunteering of persons between the ages of eighteen and forty-five years, under any pretense or authority, are strictly prohibited, it being the design of the Department, from which there will be no departure, to supply the Army exclusively through the Bureau of Conscription.

While I am thus confident of the Bureau filling the intention of the law, it is not to be disguised that the law does not provide for the development of the military force of the country. Had the exemption act been entitled an act to aid the enemy in diminishing the number of men in the Army and answered its nomenclature, it could not more thoroughly have effected its purpose. There are many, very many, more persons between the ages of eighteen and forty-five years exempted from service by the act of October 11, 1862, than are sent into service by all the acts calling for men between those ages. The fragmentary remnants left by the exemption act, and the volunteer and recruiting system form the material on which the Bureau is to act. It is called to let drop ninety-nine through the expanded and broken meshes of the law while it takes in secure hold of one and lands him in the Army, unless he be snatched away by a railroad factory or some other supposed benefactor of the Confederacy.

Be rigid in the design that through this Bureau alone and exclusively every man goes into the field as a supply to your armies and you will find full currents flowing into them, whereas if you diffuse the sources all will sink to nothing before they become confluent.

The functions of the Bureau are ramified into a minute interference with every civil, political, and domestic right of the citizen, and its officers control those rights, and in doing so meet the most cherished prejudices of the people. Properly selected officers adjust the rights and palliate the prejudices; the first is just, the second politic and necessary.

Military authority is established to override the right and subdue the prejudice. Neither can be effectually done, even though existence demands it at this stage of our struggle. Detach half the armies in the field on the service, and they will bring but a tenth of their numbers and will arouse the people and States to protect the balance. Give this Bureau as now constituted under the law the authority to call on the States and the military to aid its regular proceedings within the precincts of that law, and you will get five times the numbers at half the expense and within as short a time. For these considerations crudely expressed, and others perhaps of equal weight, I respectfully suggest:

First. That all recruiting and volunteering of men between the ages of eighteen and forty-five years be prohibited except through this Bureau.

Second. That additional force be allowed to the enrolling department of at least twenty men to each Congressional district, to be composed of soldiers disabled for the field or invalid conscripts who can furnish their own horses, to be received and act as cavalry and subject to call for local defense, to be armed and under orders of the enrolling officer.

Third. That commanders of armies, posts, garrisons, &c., be instructed to furnish any additional temporary aid commandants of conscripts may require in the arrest of deserters, stragglers, &c.

Fourth. That copies of all furloughs to men in the field be sent to the commandants of conscripts for the State to which the man belongs, and that all deserters be reported in like manner to the commandants.

Fifth. That the States removed from the conscription jurisdiction of this Bureau be restored to their original condition in their relation to it.

I have the honor to be, very respectfully, your obedient servant,

JNO. S. PRESTON,
Colonel and Superintendent.

P. S.—I have the honor to inclose a communication received from the commandant of conscripts for Alabama since this letter was written, indicating views concurring with those stated by me and resulting from his experience and observation in his office.

[Inclosure.]

OFFICE COMMANDANT OF CONSCRIPTS,
Talladega, Ala., August 6, 1863.

Lieut. Col. G. W. LAY,
Asst. Adjt. Gen., Bureau of Conscription, Richmond, Va.:

COLONEL: I have the honor to acknowledge the receipt of a number of letters, telegrams, circulars, and other communications—in particular of a telegram of the 30th of July, directing future correspondence (with certain specified exceptions) to be held with or through Brigadier-General Pillow. On this order I have already commenced acting. Permit me to express my unfeigned regret at this withdrawal from the immediate control of the Bureau of Conscription the duties of the conscription service, after much difficulty and many embarrassments were becoming systematized and intelligible. I very much fear the consequences of a change.

On this occasion I beg leave for the first time to go beyond the usual limits of the duties of this office in order to make some statements which should not only be laid before you but brought to the attention of the Secretary of War. The result of the recent elections in this State has developed a degree of disaffection (to use the mildest possible term) which may lead to serious mischief. In this section of the State the elections have been generally carried by an opposition known as the "Peace Party." It is scarcely necessary to remark that (as the present war is on our part a struggle for peace) if a "peace party" has any definite meaning at all it must mean what it should be treason even to suggest. In the Congressional district from which I write the present incumbent (Mr. Curry) has been defeated by a large majority, chiefly (from all I can learn) on account of his identification with the Government, and with what we have been accustomed to consider the established principles of the Confederacy.

In some counties men have been elected to the State Legislature and to other positions of public trust who were not publicly known, or scarcely known, as candidates. These results are mainly attributable, as there is every reason to believe, to a secret sworn organization known to exist and believed to have for its objects the encouragement of desertion, the protection of deserters from arrest, resistance to conscription, and perhaps other designs of a still more dangerous

character. This organization is believed to include some men of intelligence, influence, and prominent position, and there can be little doubt that its leaders are, and long have been, in constant communication with the enemy.

It is not to be supposed for a moment that the opposition above alluded to is entirely, or perhaps that it is even chiefly, composed of disloyal elements; but it is greatly to be feared that this will be the controlling element.

If these considerations were exclusively political it would perhaps be officious or impertinent on my part to present them. But it is a significant fact that hostility to the conscription law has been one of the main elements of the opposition. It is perhaps still more significant that the rank and file of the paroled prisoners of the Vicksburg army, according to my information, contributed largely by their votes to the result of the election. Strength was added also to the opposition by the host of deserters who swarm throughout the country, and who no doubt came forth from their lurking places on the day of the election wherever the polls were not guarded by military force. The disposition is widely prevalent among the population at home to afford shelter and protection to these deserters, and insidious efforts are making to induce the paroled men generally to refuse to return into service.

In this state of affairs it is obviously of the highest importance that the conscription service of the country should be executed not only with vigor, but with discretion.

It is my purpose, if the urgent demands of routine duty permit, to venture to offer to the Honorable Secretary of War some suggestions as the result of a year's experience. Meanwhile permit me to add to the above statement of facts a simple expression of the opinion that much mischief has been done, and is now doing, under the system of "recruiting" inaugurated some months ago and revived under the recent call of the President.

In obedience to the instructions contained in the latter part of your order of the 30th of July, I inclose herewith copies of the only two general orders yet received from General Pillow.*

I also respectfully inclose some extracts from a letter to General Pillow elicited by those orders.

Very respectfully, your obedient servant,

W. T. WALTHALL,
Major and Commandant for Alabama.

[Sub-inclosure.]

OFFICE COMMANDANT CONSCRIPTS,
Talladega, Ala., July 31, 1863.

Brig. Gen. GIDEON J. PILLOW,
Chief Bureau of Conscription, Dept. No. 2, Marietta, Ga.:

GENERAL: I have the honor respectfully to acknowledge the receipt of your letter of the 26th instant by Lieutenant Evans, who was unavoidably delayed on his return. I have also just noted in the Memphis Appeal General Orders, No. 1 and No. 2, issued by you. I have already ordered the conscription to be extended to the age of forty-five, in accordance with the proclamation of the President. * * * Permit me, general, respectfully to offer another suggestion. Ever since I was ordered to the conscription service it has been my

* See July 27, pp. 675, 676.

aim to elevate the character of the conscript by endeavoring to break down the distinction popularly made between him and the volunteer by impressing upon him the feeling that there is no stigma or reproach properly belonging to the term "conscript," by treating him as a soldier, and gradually infusing into him soldierly pride and a consciousness of being on a footing of equality with other soldiers.

The experiment of twelve months satisfies me that this is the true policy, and this plan needs only the proper firmness and kindness combined to render it eminently successful. Nay, more; from the result of my own experience I am satisfied that the conscript may be made not only equal to any troops, but the very best troops in the world.

In order to effect this, however, I have carefully instructed them that enrollment and reception into a camp of instruction are not in the nature of arrest or compulsion—unless in cases of willful refusal to obey the call—but merely the authorized and regular way in which the country calls them into the field and prepares them for active service.

In view of the above facts, I fear that the use of the term "arrest" in your recent orders may lead to misconception and tend to diminish the self-respect of the enrolled men. I respectfully throw out this for your consideration. I would also respectfully suggest that in view of the immense advantages of a few weeks passed in a properly administered camp of instruction, as also tested by experience, the conscription would seem worthy of being encouraged rather than volunteering, or, at any rate, that all volunteers should be required to pass through a preparatory training in a camp of instruction as required by General Orders, No. 30, of 1862.

I am, general, very respectfully, your obedient servant,

W. T. WALTHALL,
Major and Commandant.

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, Va., August 17, 1863.

You will use the utmost diligence in the effort to execute the provisions of the act of May 1, 1863, repealing portions of the act of 11th of October, 1862, and substituting therefor other provisions.

While thus urging the conscription on the classes therein enumerated, you will also exercise your best discretion in disturbing as little as possible the police and production of the country.

1. It is suggested, in this view, that you proceed at once to the indiscriminate enrollment of owners, agents, and overseers rendered liable by the act of May 1, 1863, deciding the merit of each case on its presentation.

2. That in cases of overseers employed and acting as such previous to 16th of April, 1863, on the plantations of non-residents, or other non-enumerated classes, a longer period be allowed before conscription for the adjustment of the police, of existing contracts, and the changes likely to be made by the removal of the overseer from such plantations to those of enumerated classes. But while time is thus given you will in every case enroll and order the report of the person at the period designated.

3. Your attention is called to the propriety of exercising a careful discretion in the conscription of persons residing in localities from which large portions of the producing labor are withdrawn, either

because of the nearness of the enemy or of the limited amount of slave labor, and also to the cases of owners and agents engaged in removing and having in charge slaves brought from localities which have been taken possession of by the enemy.

By order of Colonel Preston, superintendent:

P. N. PAGE,
Captain and Assistant Adjutant-General.

(To Commandants of Conscripts.)

BRITISH CONSULATE,
Savannah, Ga., August 17, 1863.

His Excellency Governor BROWN,
Marietta:

SIR: I have the honor to acknowledge the receipt of Your Excellency's letter of the 8th instant. I perfectly understood the intentions of the Government in organizing the force of 8,000 men for home defense, but I am obliged to conclude that you have misunderstood me when I admitted the right of a State to claim the services of British subjects resident within its limits for the purpose of maintaining internal order, and even to a limited extent to defend the places of their residence against local invasion by a foreign power. Such service might be rendered by them in the event of a war by a foreign power, but not in a civil war like that which now rages on this continent. Her Majesty's Government considers that the plainest notions of reason and justice forbid that a foreigner admitted to reside for peaceful purposes in a State forming part of a federal union should be compelled by that State to take an active part in hostilities against other States which when he became a resident were members of one and the same confederacy. While acknowledging the right of the State, under present circumstances, to the services of British subjects for patrol or police duty, Her Majesty's Government objects to any further extension of such service. I have consequently, under instructions, felt myself compelled to advise those drafted to acquiesce in the duty until they are required to leave their immediate homes or to meet the U. S. forces in actual conflict; in that event to throw down their arms and refuse to render a service the performance of which would run directly in the teeth of Her Majesty's proclamation and render them liable to the severe penalties denounced against a violation of the strict neutrality so strongly insisted on in that document, trusting to my interference in their behalf with the Government at Richmond under whose command they will be. In other States British subjects imprisoned for following this advice have already been discharged from custody and service by order of the War Department.

Your Excellency is pleased to inform me that with the change in the political relations of the country new obligations are imposed on the subjects of Her Majesty resident in the South. I do not see why this should be so, seeing that they, by reason of their being aliens, had no voice whatever in the councils which brought about the present state of affairs. With regard to the protection afforded by the State to an alien, it appears to me to extend a little beyond the safety of life, a guaranty which every civilized community for its own sake extends to every sojourner in its midst. You need not be told that the law of Georgia forbids an alien to hold certain kinds of property,

and I cannot see how a thing can be protected which is not suffered to exist. I have nothing to do with British subjects who hold such property in violation of law, but I do protest against the compulsory service in a civil war of those who have never contravened the law in this respect. It is satisfactory to know that the option of leaving the country is allowed to British subjects, and that no obstacle will be thrown in the way of those who prefer to do so rather than violate the Queen's imperative orders by meeting in warfare the U. S. forces. If compelled to take this course, however, I may be permitted to say that the comity usually observed between foreign States is not very scrupulously observed. I have reason to know that many who have not hitherto been molested are, in consequence of Your Excellency's proclamation, preparing to leave, not a few among them being mechanics worth little or no property, of whose inestimable services at this crisis the Confederacy will be deprived. Am I to understand that those already drafted may avail themselves of this alternative? The dispatches which I have received from the British Government relative to compulsory services are strong.

I am instructed to remonstrate in the strongest terms against all attempts to force British subjects to take up arms. Should these remonstrances fail, "the governments in Europe interested in this question will unite in making such representations as will secure to aliens this desired exemption." It has hitherto been in my power to report to Her Majesty's Government that her subjects have not been called upon to take up arms in this war. I regret that Your Excellency's decision makes it impossible to do so hereafter, the more so as the course pursued contrasts so strongly with the conduct of the United States Government, who have conceded the claim of bona fide British subjects to exemption of any military service whatever, and also with that of the Governors of other Southern States who, upon representation, ordered the discharge of British subjects forcibly detained in service.

I am, sir, your most obedient servant,

A. FULLARTON,
Acting Consul.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., August 17, 1863.

R. STANTON, Esq.:
(Care Captain Pleasants, chief of ordnance, Hood's division.)

SIR: Your letter of the 9th instant has been received. In reply you are respectfully informed that duty requires all such schemes for disposing of those in high position at Washington to be discouraged by the Department, and to be discarded by you. The laws of war and morality, as well as Christian principles and sound policy, forbid the use of such means of punishing even the atrocities of the enemy.

Your obedient servant,

JAMES A. SEDDON,
Secretary of War.

[AUGUST 17, 1863.—For Lee's General Orders, No. 85, in relation to enrollment, conscription, and substitution, see Series I, Vol. LI, Part II, p. 755.]

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 113. } *Richmond, August 18, 1863.*

I. Officers receiving volunteers from those liable to conscription will in no case grant furloughs for more than ten days to such volunteers before entering on active service.

II. Every man liable to conscription volunteering before enrollment will report himself and the company in which he volunteers, and likewise be reported by his captain to the commandant of conscripts for the State, within ten days after his act of volunteering; otherwise he will be held subject to enrollment and assignment.

By order:

S. COOPER,
Adjutant and Inspector General.

[AUGUST 18, 1863.—For address of the Governors of Louisiana, Texas, Arkansas and Missouri, to the people of those States and the allied Indian nations, see Series I, Vol. LIII, p. 892.]

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, August 19, 1863.

I. Commandants of conscripts will forthwith obtain from the editors of newspapers published within their commands an accurate return of the names of the editors and all persons within conscript ages in their employment, and ascertain whether the provisions of General Orders, No. 82, have been complied with, noting the particular employment of each individual.

II. Commandants of conscripts will, on the reception of conscripts at camps of instruction, subject them to medical examination by the surgeon of the camp and classify them according to their comparative ability for service in the field. Those who are fully [fitted] will be sent to the field. Those not fully fitted, either by defect, constitutional infirmity, or temporary disability, will be, as far as practicable, assigned to post or garrison duty. For this purpose commandants will correspond with the commanders of departments and of posts, arsenals, Government factories, &c., and ascertain if the assignment can be made in substitution for troops fitted for the field.

III. Commandants of conscripts will publish within their commands that they are authorized, on requisition by planters and manufacturers properly authenticated, to assign as overseers and workmen invalid soldiers or feeble conscripts who may be fitted for the employment, and on such requisition use discreetly the authority hereby granted.

By command of Col. John S. Preston, superintendent:

P. N. PAGE,
Captain and Assistant Adjutant-General.

(To Commandants of Conscripts.)

CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT, BUREAU OF CONSCRIPTION,
Richmond, Va., August 19, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have the honor to inclose certain papers indicating an unhappy condition of things in Western North Carolina. The matter

is regarded of sufficient importance to warrant me in sending Lieutenant-Colonel Lay, of this Bureau, to make a personal official inspection. I have given him full authority to exercise the legitimate functions of this Bureau in the effort to correct the evil. I respectfully suggest that he may be clothed with such additional authority as in your judgment may be adapted to the case.

Very respectfully, your obedient servant,

JNO. S. PRESTON,
Colonel and Superintendent.

[Inclosure No. 1.]

HEADQUARTERS BATTALION, THOMAS LEGION,
Loudon, Tenn., July 16, 1863.

Lieut. Col. W. C. WALKER:

SIR: I have this day returned from Cherokee County, N. C., having been sent there to bring absentees to camps. I was not able to bring in any by simply notifying them to return to camps. Those who were captured by the enemy at Strawberry Plains say they will not return unless they are obliged to until they are exchanged. Then, they say, they are ready and willing to return to duty.

Also, from the best information I could get, the outlaws are a terror to the citizens, and especially the soldiers' wives who are alone. They are killing cattle, sheep, and hogs; also stealing bee-gums, breaking into smoke-houses, milk-houses, &c.; not only so, but they have killed Lieut. Robert Rhea—shot him in the field at home—and I learn they have shot several times at Captain Berry since he has been there trying to collect his company together. I learned that those outlaws said that neither Lieutenant Fowler nor myself should ever return to the command to report how affairs were going on there. As for who it is doing the mischief, I suppose it is deserters from different commands and some conscripts who have never been in camps.

I do not think that a few men would be safe to try to take up those fellows, for there is said there are a great many of them, and I do not think that soldiers who live in that section would be safe, for they would burn up their houses and destroy their property if they did not get all of them.

J. N. BRYSON,
First Lieutenant Co. A, Walker's Battalion, Thomas Legion.

[Indorsement.]

HEADQUARTERS BATTALION, THOMAS LEGION,
July 16, 1863.

Examined, and from the best information I can get I am satisfied the statements are correct.

Respectfully forwarded to Brig. Gen. B. R. Johnson, commanding.

W. C. WALKER,
Lieutenant-Colonel, Commanding Battalion.

[Inclosure No. 2.]

CONSCRIPT OFFICE, CAMP VANCE,
Near Morganton, August 13, 1863.

Col. PETER MALLETT,
Commandant Conscripts, North Carolina:

COLONEL: In obedience to instructions indorsed upon inclosed paper I have the honor to report the state of affairs in the western

counties of North Carolina. I inclose also a letter from Captain Pearson, enrolling officer Tenth District, received on yesterday. All the counties on the Tennessee border are infested with deserters, renegade conscripts, and tories, who have collected in the mountains committing depredations upon peaceful citizens and unprotected wives of soldiers. The county of Cherokee is 200 miles from Morganton, and the facilities for transporting and subsisting the small body of men under my command are very limited; and as Jackson's brigade of Buckner's division is in Tennessee, about fifty miles from the county seat of Cherokee, I would respectfully suggest that an arrangement be made by which a few companies of cavalry and infantry from his command may be sent to this section to operate until these bands of deserters, &c., are broken up.

The enrolling officer of the Tenth District commences his enrollment in Clay, the extreme western county, on the 20th of August. I consider it unsafe for him to go through these counties without a guard, and recommend that an order be requested from the War Department to Major-General Buckner to send a guard to accompany him through the border counties and overawe any attempts at resisting the execution of the law. I propose as far as possible to organize squads of, say, twenty men in each county in the Ninth and Tenth Districts and place them in charge of disabled officers of the Army who report to me for duty, and respectfully request that a supply of arms and ammunition be furnished me to equip them, and that Western North Carolina officers unfit for field duty be ordered to report to me for assignment as assistant enrolling officers for each county. Authority might be granted me to draw the arms from the C. S. armory at Asheville. Every county in the Ninth and Tenth Districts is infested to a greater or less degree with deserters, &c., and the most rigorous measures are absolutely necessary for the preservation of order and life. Soldiers' wives are constantly robbed by the villains, and great depredations are committed on the citizens. I suggest also that the attention of the Governor be called to the matter and he be requested to order the immediate organization and equipment of the home guard composed of exempts. A small number of men actively employed under a competent officer in each county would go far toward suppressing troubles which will soon become very serious. The impunity with which deserters remain at home has produced the worst effect upon the conscripts, who generally refuse to obey the law, and join the deserters in the mountains upon any attempt being made to arrest them. I have two companies of about 125 men at this camp. There are from 50 to 100 deserters in this county within twenty-five miles, and the same proportion in the adjoining counties, while the counties of Wilkes and Yadkin have many more than this proportion.

Though some militia officers are good men, who have aided the officers of conscription materially in the execution of the law, many are entirely unreliable and all are fast losing their influence for good on account of the existing state of affairs. I would urge that all officers unfit for field service who are able to assist me be assigned at as early a day as possible to me.

I have used every exertion to disseminate the President's proclamation of pardon to deserters, and hope that it may have a good effect, though from present indications very few will embrace the opportunity to return to duty.

I have directed the enrolling officers to forward me exact information of the state of affairs in each county and will forward the same as soon as received.

I am, colonel, very respectfully, your obedient servant,

J. C. McRAE,
Captain, Commanding.

[Indorsement.]

CONSCRIPT OFFICE, CAMP HOLMES,
August 17, 1863.

Approved and respectfully forwarded to Bureau of Conscription. An order for 200 muskets or rifles from the armory at Asheville is earnestly solicited. This, together with requisition for 500 muskets (now being forwarded by ordnance officer at Wilmington) and arms furnished by the State, will be sufficient. The superintendent's attention is respectfully invited to the recommendation of Captain McRae, that a detachment of two companies from Jackson's brigade of Buckner's division be detailed temporarily to protect the enrolling officer and arrest deserters in counties bordering on Tennessee.

PETER MALLETT,
Colonel, Commanding Conscripts for North Carolina.

[Sub-inclosure.]

ASHEVILLE, N. C., *August 10, 1863.*

Capt. J. C. McRAE,
Commanding Conscripts, Morganton, N. C.:

CAPTAIN: I am this morning in possession of information that I know to be reliable that the deserters and tories from Tennessee and counties from this State are in force, estimated 300 to 500, and are now in the counties of Cherokee and Henderson. In the first-named county they are largely in the ascendancy, and are augmenting their number every day. They are killing stock, disarming the citizens, and the militia, if they were even disposed, I don't think would be sufficient to capture or entirely disperse them. It will be impossible for me to execute the conscription in certain counties without the aid of some military force. I hope that you will not think I am an alarmist. I spoke something about the state of affairs of this kind before, but refrained from giving any reports that I had heard, knowing them to be exaggerated; but the above facts I know to be true and are in no way magnified.

I will leave for Clay County Saturday to meet my first appointment, commencing the 20th. I am ignorant as yet who constitutes the examining board for this district, and would be glad if you would inform me by return mail who they are.

Doctor Baird, who lives in this county, told me that Colonel Mallett had sent word to him to consider himself appointed, but as he had no official information of it I have not recognized him as such. Please inform me or him, one of [us], if he is. I would most respectfully suggest that a force of cavalry or mounted infantry be stationed somewhere in the district, and be employed for the purpose of arresting deserters. The militia is worth nothing, now that they are to be conscripted. Such a force is certainly needed.

Very respectfully, your obedient servant,

D. C. PEARSON,
Captain and Enrolling Officer Tenth District.

HEADQUARTERS,
Wilmington, August 19, 1863.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond:

SIR: I inclose for your consideration a letter which I have detained here chiefly on account of the reckless assertion that sales can be made at any rate, signifying that a small profit to the broker will cause him to lose sight of the very important question of our national credit. If citizens are permitted to hawk about London the best bonds of the Government and sell them at 20 and 25 shillings on the dollar because they can make a profit by drawing bills on those funds, the credit of the Government would receive a serious blow, which at present might greatly damage us. I am sure that Mr. Enders is a gentleman of high character; but I wish to know what shall be done hereafter in the case of letters and remittances of this kind.

Very respectfully,

W. H. C. WHITING,
Major-General.

[Inclosure.]

RICHMOND, *August 15, 1863.*

J. ALDEN WESTON, Esq.,
London:

DEAR SIR: I wrote you the 4th per "R. E. Lee," which I hope has reached you ere this. I now beg to repeat that we feel very solicitous to hear of Mr. Lemmon's safe arrival in Europe and the successful negotiation of our bonds. We continue to hear conflicting reports of the negotiability of the 15,000,000 loan, which I hope soon to have solved by actual report of sales. Messrs. R. T. Foster & Co. do not purpose to value on you until they are advised of sales, and as the outlay here is considerable, report of sales to enable them to reimburse themselves would be very acceptable, apart from the temptation to increase the enterprise. Sterling can be sold at 1,400 and 1,500 per cent., and even if sales were made at prices materially below the quotation given by you a large profit would result. We are solicitous to continue shipments of the bonds if you can certainly sell them, and you see that at the rate of premium quoted you can afford to sell at prices considerably lower than you at first supposed and still realize a handsome profit. The chief question for solution is, Can the bonds be sold? If so, the rate of premium which sterling is now commanding will justify shipment at almost any rate at which sales can be effected. I await with anxiety the solution of this, and hope ere long to receive a favorable response. The steamers are now running chiefly to Bermuda, and letters for this country will reach us more expeditiously than via Nassau. Mr. Norman S. Walker, Saint George, Bermuda, will forward to me if you send to him and request him to do so.

Very respectfully,

JOHN ENDERS.

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., August 20, 1863.

Lieut. Col. G. W. LAY,
Assistant Adjutant-General:

SIR: You will proceed to make such partial inspections regarding the business of conscription in North Carolina, Georgia, and South

Carolina as has been orally indicated. The necessary journeys from point to point to execute your instructions will be made by you without further orders. Should your presence be required as a witness before a general court-martial here you will return from North Carolina previous to extending your journey farther south. You have the authority of this Bureau to revoke on the spot assignments or suspend appointments of incompetent, inefficient, or physically disabled persons now on enrolling duty, making in every case a full report. Such persons, if members of regiments, will be ordered to report to their military commanders in person or by letter, as their health may admit, and you will inform the commanders accordingly. If officers appointed on enrolling service are found incompetent the revocation of their appointment will be suggested for the final action of the War Department. The necessary selections or recommendations to replace those removed or to fill vacancies will be made by you in consultation with the State commandants, and preferably by the assignment of wounded or disabled officers and soldiers, other things being equal. Conscripts may be detailed if necessary. If you find persons not liable to service with qualifications specially adapted to this duty, you will recommend their appointment, giving full information as to their fitness. It is not desirable to increase commissions outside the service. Your attention is specially directed to the condition of the organization in the various districts, and you will see that they are made complete, both as to medical boards and enrolling officers. You will report to this Bureau by letter as occasion may require.

Very respectfully, your obedient servant,

JNO. S. PRESTON,
Colonel and Superintendent.

[AUGUST 20, 1863.—For Preston to Cooper in relation to procuring the return of absentees to their commands, see Series I, Vol. XXIX, Part II, p. 654.]

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., August 20, 1863.

It has been reported that a large number of arms and accouterments have been carried from the Army by deserters, stragglers, and the sick, and left at different points along the line of travel.

Commandants of conscripts will direct enrolling officers to make diligent search for all such arms and accouterments, and take possession of them wherever found and forward them immediately to the nearest ordnance depot, taking the receipt of the commanding officer for the same and forwarding it to this Bureau.

By order of Col. John S. Preston, superintendent.

P. N. PAGE,
Captain and Assistant Adjutant-General.

(To Commandants of Conscripts.)

[AUGUST 20, 1863.—For Lee's General Orders, No. 86, forbidding the election of junior second lieutenants, except by authority of the Secretary of War, and requiring examination of field officers whose competence is questioned, see Series I, Vol. LI, Part II, p. 756.]

MARIETTA, *August 21, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

DEAR SIR: I have to acknowledge the receipt of your letter of 25th July and to express my regret that I have been disappointed in what I considered a reasonable expectation that upon a review of the question you would permit the Georgia troops, to whom our correspondence refers, to exercise the right of electing their officers.

It does not seem to me that the constitutional objection which I make to the acts of Congress which deny to the troops the right of election and give to the President the power to appoint the officers to command them is successfully met by additional quotations from the acts of Congress to show the intention of Congress. I have not called its intention into question, as I think it quite clear that it intended to confer the appointing power upon the President, but I have called in question its right under the Constitution to do so. With all due deference, I cannot see how the power of Congress to pass a statute can be established by quotations from the statute showing what Congress did enact, but not what its powers were.

I cannot admit that the distinction which you attempt to draw between volunteers and militia has any substantial foundation in law or fact, or that the length of time for which they are called into service affects the question. It is very clear from the letter of the Constitution that the militia of a State may "be employed in the service of the Confederate States," in which case Congress has power to provide for governing them, but even this power is made subject to the right of the State to appoint the officers to command them. It matters not what Congress may choose to call the arms-bearing people of the State, who in fact are her militia. When Congress asks the State to permit the President to employ them in the service of the Confederate States, and he makes requisition for them and the State organizes and tenders them, they may be called the armies of the Confederacy or the Provisional or Regular Army, or by any other name which Congress may adopt, but neither their existence, their identity, nor their character is changed by the name. The arms-bearing people of a State are her militia, and when the President, under the authority of the act of Congress, makes requisition upon the Governor of a State for them to repel an invasion, and they are tendered as organized and officered by the State and accepted with their State officers and State organization, they are, without regard to the terms used by Congress to designate them, the militia of the State "employed in the service of the Confederate States," nor does the fact that the State tenders them as drafted men or as volunteers or for a longer or shorter term affect their character or their identity. Suppose a State is invaded or there is a sudden insurrection, and the President, by virtue of an act of Congress, requires the Governor to call out the whole militia of the State for ten days to repel the invasion or suppress the insurrection and every man in the State volunteers, does the fact that they are not drafted, but volunteer, destroy their character of militia and convert the whole militia of the State into an army of the Confederacy, and thereby give the President the power to appoint all the officers and take from the State this right which she has carefully reserved in the Constitution? If not, how is the principle changed in case the call is for one month, one year, or three years, instead of ten days? When thus tendered by the State, for what

length of time must they "be employed in the service of the Confederate States" before they lose their character of militia of the State, and how long must they serve before the President may, without usurpation, deny to the State her reserved right to appoint the officers and assume to do it himself? Must it be for one month, one year, two years, three years, or what other period?

Under the act of Congress the President called on me as Governor of this State for troops to serve for twelve months. They were furnished, and the State's right to appoint the officers and to fill all vacancies was never questioned. Other calls were made for troops to serve for three years. These were promptly responded to, and among others the Fifty-first Regiment was tendered and accepted, and the right of the State to appoint the officers expressly admitted upon the record, with no qualification and no denial of her right to fill vacancies. Again the President has lately, through you, made requisition upon me for 8,000 troops for six months for home defense, to be used in case of emergency and in repelling raids, &c. These men are expected to be most of their time at home, attending to their ordinary business of producing supplies, &c. But the act of Congress says when they volunteer and are accepted they shall form part of the provisional armies of the Confederate States. It will take nearly all the men remaining in the State between eighteen and forty-five to fill this last requisition. Part of them will be volunteers and part drafted men. Now, if all these six-months' men, twelve-months' men, and three-years' men have been converted into armies of the Confederate States in the sense in which the Constitution uses the term (I do not mean the sense in which Congress uses it), and no part of them are militia "employed in the service of the Confederate States," what has become of the militia of Georgia? Nearly the whole arms-bearing people of the State between eighteen and forty-five are in the service of the Confederate States, the larger number of them organized by the State and tendered to and accepted by the Confederate Government with their officers appointed by the State, and you now deny that any part of the militia of Georgia are "employed in the service of the Confederate States," or that the State has the right to appoint a single officer to command them. Again I ask, How did Georgia get rid of her militia, and where are they?

They are, in fact, all employed in the service of the Confederate States. She has expressly and carefully reserved the right, when they are thus employed, to appoint all the officers to command them. You do now so employ them, but you deny her right to appoint even one of the lowest officers who is to command them, and you justify this by quoting from the acts of Congress to show, not the power to take from the State this plain constitutional right, but that it was its intention to do it. I have never denied the intention, but I can never admit the power. I look upon it as a clear usurpation, which finds no justification either in the Constitution or in the plea of necessity which is usually resorted to in such cases.

In my last letter I referred to the opinions of your predecessors in office, and of the Attorney-General, which are all reputed to concur in the view I take of the question, and requested you to correct the error if I had fallen into one, and to inform me what had been their ruling upon this point. As your reply passes this part of my letter in silence, I understand the fact to be admitted that I am fully sustained in the view I take of the rights of the State by the opinion of the Attorney-General and the opinions and practice of the different

distinguished gentlemen who have successively filled the position you now occupy. I deeply regret that you have felt it your duty to overrule the opinions of such able and distinguished statesmen as those just mentioned upon a question involving a principle so vital to the rights and sovereignty of the States, when the denial of these rights of the States can only increase the power and patronage of the President, but cannot, for the reasons given in my former letter, result in practical benefit to the public service. If your process of reasoning be correct, that the right of the States to appoint the officers no longer exists, when it can be shown by reference to the acts of Congress that it intended to confer this power upon the President, then the Constitution is of no binding force and Congress has power, by the use of a term or the change of a name, to abrogate the most sacred rights of the States and confer them all upon the President. But I need not trouble you with further remarks, as I perceive your decision is made up, doubtless, after conference with the President, and it is determined that you shall enforce your construction. The President has the power in his own hands, and I am obliged for the present, reluctantly, to acquiesce in what I consider a great wrong to thousands of gallant Georgia troops and a palpable infringement of the rights and the sovereignty of the State.

I will only add that this letter is intended more as a protest against your decision than as an effort to protract a discussion which it seems can be productive of no practical results.

I am, dear sir, very respectfully, your obedient servant,

JOSEPH E. BROWN.

[AUGUST 22, 1863.—For General Orders, No. 114, Adjutant and Inspector General's Office, placing the permanent posts and depots established by the Quartermaster's Department under the special control of the Quartermaster-General, &c., see Series I, Vol. XXX, Part IV, p. 529.]

GEORGIA MILITARY INSTITUTE,
Marietta, Ga., August 22, 1863.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

SIR: I inclose a statement of the probable available military force of Georgia composed of those who, from their age, profession, occupation, &c., are not subject to conscription under existing laws, and ask to be authorized to raise a regiment or battalion for the Confederate service for the war from the various classes, conditions, &c., enumerated, except from among those who have been actually enrolled and then detailed for specific purposes. Having had some correspondence with the Department on various subjects, my name may not be unknown.

As major of the Twenty-first North Carolina Troops I served in Virginia in 1861–'62, until my health became such that I was induced to resign and to return to the discharge of my professional duties. Now having recovered from my disease, I desire to re-enter the service, and whilst ready to take any post to which I may be assigned, I think that, from my position and character, and from the exigencies of the times, I may succeed in raising a regiment provided I can get the necessary authority. Whilst I do not ask permission to receive

conscripts, thinking perhaps that neither the laws nor the necessities of the service would warrant it, yet if the Department chooses to give me that authority my labors would doubtless be much facilitated. Testimonials as to my character and efficiency as an officer are on file in the Department. Should the authority solicited be granted, I trust that as long a time as possible for organizing the regiment will be given me.

Very respectfully, your obedient servant,

JNO. M. RICHARDSON,

Professor of Mathematics, Georgia Military Institute.

[Inclosure.]

An estimate of the probable available military force of Georgia.

	Per county.
Judges of inferior courts	5
Justices of the peace	16
Bailiffs	16
Clerks, sheriffs, tax receiver, and ordinary	6
Militia officers	30
Executive, legislative, and judicial officers other than those mentioned	3
Ministers of religion	10
Physicians and apothecaries	10
Manufacturers of and workers in leather	10
Millers, blacksmiths, wagon-makers, &c	10
Postmasters and mail contractors	10
Overseers for minors and widows	5
Factory hands, railroad employés, telegraph men, salt boilers, miners, Government contractors, &c	40
Newspaper men	3
Teachers	3
Men with substitutes	60
Able-bodied men over 45	100
Able-bodied youths between 16 and 18	125
Total	462
Number of counties in the State	132
Total available military force of State	60,984
Deduct 30 per cent. for the infirm, &c	18,295
Able-bodied men at home	42,689

Nearly the same result may be arrived at thus: The number of young men between eighteen and twenty-one is nearly equal to the number of men over forty-five, so that the number of men of arms-bearing age is about equal to the voting population.

In 1860 the voting population of Georgia was about	110,000
Increase since, 5 per cent	5,500
Number of those having substitutes	7,920
Young men between 16 and 18	16,500
Total	139,920
Number sent to the field (about)	80,000
Remaining at home	59,920
Deduct 30 per cent. for the infirm, &c	17,976
Able-bodied men at home	41,944

By those acquainted with Georgia this estimate of her military strength still available will not be considered too great in its aggregate. Some of the county officers, &c., enumerated are doubtless

over forty-five, and are not able-bodied, but the deduction of 30 per cent. is supposed to be enough to cover all cases of disability whatever be their cause.

JOHN M. RICHARDSON.

MARIETTA, GA., *August 22, 1863.*

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT,
Charleston, August 22, 1863.

His Excellency Governor Z. B. VANCE:

GOVERNOR: I am officially advised by the commandant of conscripts for this State that in the districts of Pickens, Greenville, and Spartanburg there are banded together large numbers of deserters and evaders of conscription, who are armed and resolute in their purpose to resist all attempts to bring them to subordination. My advices are also that this disloyalty and disaffection is equally, if not more, extended in those counties of your State lying adjacent to the districts named, and that those persons have across the lines concerted means of communication looking to their common protection. This condition of affairs calls for prompt measures, and in view of the necessity which rests upon the commanding general of this department to direct all his resources and energies to meet the advance of the external enemy, I have felt it my duty to assume the correction, so far as may be in my power, of an evil which internally so seriously threatens our cause. I have therefore ordered to those districts a company of mounted men of State troops, well armed, who will scour those districts and rid them of the presence of those lawless persons. This company will be sustained in their efforts by such other forces as the necessities of the case may from time to time require.

I foresee, however, that their presence and efforts may to a great extent serve but to drive these persons beyond the line, where they will fraternize in more formidable numbers, and where they may quietly remain until the withdrawal of my forces shall permit them again to return to this State. This induces the necessity that I should earnestly solicit of you concert of action, and the initiation of like measures in your counties with the view to simultaneous and concerted action. In the course of ten days the company which I have ordered forward will be on the ground.

May I ask to this matter your earliest attention, and that I may be advised how far and in what manner your co-operation can be had. The greatest secrecy and promptness seem to me desirable.

I have the honor to be, very respectfully, your obedient servant,

M. L. BONHAM.

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
DEPT. OF TENNESSEE, ALABAMA, AND MISSISSIPPI,
Columbus, Miss., August 23, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

Your communication of the 11th instant reached me at this place, organizing the working forces of this bureau in Mississippi. Your instructions in regard to the distribution of conscripts shall be strictly obeyed. It is proper, however, to say that since the loss of the larger portion of Tennessee, and with Mississippi partly occupied by the

enemy, and all thrown open to raids by river, I do not see where the men are to come from to build up the armies having regiments from these States in them. An additional source of embarrassment arises out of the numerous State organizations of cavalry in this State under orders from the Governor, which are mainly made up of men liable to conscript duty. This class of men run into these State organizations to avoid conscription for the infantry service. They come in under orders from the Governor, and in their opposition to entering the Confederate service they are sustained by their officers. To disintegrate these organizations and sift out the conscripts is a difficult work and would produce great dissatisfaction. I therefore respectfully suggest that the best thing which can be done under the circumstances would be to receive these organizations as they are into the Confederate service if they will take that service for the war. To do this will require your special authority. If you approve of the measure I ask your order giving me authority in all such cases. There are also a number of outside organizations of cavalry companies in different parts of the State which have not been mustered into any service. The authority should embrace them. If I had authority over the whole subject of organizations, I would permit no new ones except on the enemy's lines, and I might succeed in getting the many non-conscripts in these State organizations into the service. All these organizations, however, take up and diminish the population which is the only source of supply for filling up the Army. If, therefore, I am to send conscripts from this conscript department to the Army of Virginia (which is right and proper) you perceive at once that to the extent I do so it diminishes the means left to build up the armies of Tennessee and Mississippi, and I renew my application to be allowed to draw upon Georgia. Last week, and before your communication came to hand, I ordered all the conscripts in the Knoxville camp to the Tennessee regiments in the Virginia army.

I also applied through General Johnston for authority to send deserters from General Bragg's army (who will not stay in that army, many of them having deserted two and three times) to the Army of Virginia. These deserters are from the mountain region of North Alabama, and when these are from 8,000 to 10,000, including tory conscripts, it is useless to send them to Bragg's army. They are armed and banded together and I anticipate great difficulty in getting them out of their fortresses. In about ten days I will have completed the organization of this State. If an organization similar to the one I am now spreading over this department were extended over the other States and the work pushed with proper energy, our armies could be rapidly built up to double their present strength and kept up.

Some days since I addressed you a very brief communication indicating the defects in the system adopted by the conscript law. The defects are in the law, not in the organization of the Conscript Bureau. The law was passed upon the supposition that when enrolled those liable to conscription would obey the order of the Government to enter the service, but this we know they will not do. This being the case, the law does not provide an adequate force of officers and supporters to execute the law and bring the reluctant population into the Army. No living man can take hold of the present conscript organization, and with its agencies place the conscript population into the Army; but by organizing the supernumerary officers of our

armies and combining them to work in accord with the conscript organization this defect is in a great measure remedied.

My experience in this branch of the service and my former success ought to leave no doubt as to the correctness of these views. They have been practically carried into effect in this department, and are concurred in by all the generals commanding its armies. The same system ought to be extended over all the States, thus giving harmony to the service and embracing the labor necessary to keep up the armies in the field. Thus combining the recruiting and conscript service and the labor of gathering up the stragglers under the same organization, and directing its energies by the same head, our armies could be kept full and men would cease to desert or straggle, knowing that there was an organization covering all the States with a net-work, making it impossible for them to stay at home.

I trust, sir, you will pardon the liberty I have taken in making these suggestions. Though not called for by your communication, they relate to the same subject, and my conviction of their importance induces me to lay them before you at the risk of incurring your displeasure.

I am, sir, with great respect, your obedient servant,

GID. J. PILLOW,

Brigadier-General, C. S. Army,

Supt. Vol. and Conscript Bureau, Dept. of Tenn., Ala., and Miss.

[Indorsement.]

SECRETARY OF WAR:

The rule that deserters shall be returned to their commands, under existing circumstances, is impracticable, and the attempt to enforce it in all cases is injurious.

The recommendation of General Pillow to send the deserters to another and more distant army is, in my opinion, judicious.

J. A. CAMPBELL.

GENERAL ORDERS, No. 115. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, August 24, 1863.*

I. The following schedules of prices for articles named therein, adopted by commissioners appointed pursuant to law, for the State of Virginia, are announced for the information of all concerned; and the special attention of officers and agents of the Government is directed thereto:

RICHMOND, *August 20, 1863.*

HON. JAMES A. SEDDON,
Secretary of War:

SIR: The commissioners appointed under section 5 of the bill recently passed by the Confederate Congress, regulating impressments, being required to agree upon and publish a schedule of prices every two months, or oftener, if they should deem it proper, in accordance with the foregoing requisition, we respectfully lay before you the following schedules of prices, marked A and B, for the ensuing month. Owing to the difficulty of obtaining satisfactory information as to pork, we have postponed the appraisement till our next assessment.

The following schedule presents the maximum prices to be paid for the articles appraised at all cities and usual places of sale, and when impressed elsewhere the same prices are to be paid elsewhere, less the cost of transportation to the city or usual place of sale to which the article would go ordinarily for sale from that neighborhood, or less the cost of transportation to the point at which the Government needs the article and wishes it to be sent, provided that in no case the amount deducted for transportation as above shall exceed 25 cents per bushel for

grain and 25 cents per hundredweight for long forage, flour, bacon, iron, &c.; in addition to the established price of transportation, the Government to pay all legal tolls, and, where farmers cannot procure nails for baling forage, Government to furnish the same at cost, which will be deducted from the established price of baling:

SCHEDULE A.

Articles.	Quality.	Description.	Quantity.	Price.
Wheat	Prime	White or red	Per bushel of 60 pounds	$5.00
Flour	Good	Superfine	Per barrel of 196 pounds	25.00
Corn	Prime	White or yellow	Per bushel of 56 pounds	4.00
Unshelled corn	do	do	do	3.95
Corn-meal	Good		Per bushel of 50 pounds	4.20
Rye	Prime		Per bushel of 56 pounds	3.20
Cleaned oats	do		Per bushel of 32 pounds	2.00
Wheat bran	Good		Per bushel of 17 pounds	.50
Shorts	do		Per bushel of 22 pounds	.70
Brown stuff	do		Per bushel of 28 pounds	.90
Ship stuff	do		Per bushel of 37 pounds	1.40
Bacon	do	Hog round	Per pound	1.00
Salt pork	do		do	1.00
Lard	do		do	1.00
Horses	First class	Artillery, &c	Average price per head	350.00
Wool	Fair or merino	Washed	Per pound	3.00
Do	do	Unwashed	do	2.00
Peas	Good		Per bushel of 60 pounds	4.00
Beans	do		do	4.00
Potatoes	do	Irish	do	4.00
Do	do	Sweet	do	5.00
Onions	do		do	5.00
Dried peaches	do	Peeled	Per bushel of 38 pounds	8.00
Do	do	Unpeeled	do	4.50
Dried apples	do	Peeled	Per bushel of 28 pounds	3.00
Hay, baled	do	Timothy or clover	Per 100 pounds	3.00
Do	do	Orchard or herd grass	do	3.00
Hay, unbaled	do	do	do	2.70
Sheaf oats, baled	do		do	4.00
Sheaf oats, unbaled	do		do	3.70
Blade fodder, baled	do		do	3.00
Blade fodder, unbaled	do		do	2.70
Shucks, baled	do		do	2.00
Shucks, unbaled	do		do	1.70
Wheat straw, baled	do		do	1.00
Wheat straw, unbaled	do		do	.70
Pasturage	do	Interior	Per head per month	3.00
Do	Superior	do	do	4.00
Do	First rate	do	do	5.00
Do	Good	Near cities	do	5.00
Do	Superior	do	do	6.00
Do	First rate	do	do	7.00
Salt	Good		Per bushel of 50 pounds	5.00
Soap	do		Per pound	.40
Candles	do	Tallow	do	1.00
Vinegar	do	Cider	Per gallon	1.00
Whisky	do	Trade	do	3.00
Sugar	do	Brown	Per pound	1.00
Molasses	do	New Orleans	Per gallon	8.00
Rice	do		Per pound	.20
Coffee	do	Rio	do	3.00
Tea	do	Trade	do	7.00
Vinegar	do	Manufactured	Per gallon	.50
Pig-iron	do	No. 1 quality	Per ton	125.00
Do	do	No. 2 quality	do	110.00
Do	do	No. 3 quality	do	100.00
Bloom iron	do		do	180.00
Smith's iron	do	Round plate and bar	do	380.80
Railroad iron	do		do	190.90
Leather	do	Harness	Per pound	2.60
Do	do	Sole	do	2.40
Do	do	Upper	do	2.80
Beef-cattle	do	Gross weight	Per 100 pounds	16.00
Do	Superior	do	do	18.00
Do	First rate		do	20.00
Sheep	Fair		Per head	30.00
Army woolen cloth, 3-4 yard.	Good	10 ounces per yard	Per yard	4.50
Army woolen cloth	do	Pro rata as to greater or less width or weight.		
Army woolen cloth, 6-4 yard.	do	20 ounces per yard	Per yard	9.00

SCHEDULE A—Continued.

Articles.	Quality.	Description.	Quantity.	Price.
Army woolen cloth	Good	Pro rata as to greater or less width or weight.		
Flannels, 3-4	do	6 ounces per yard	Per yard	$3.00
Cotton shirting, 3-4	do	4½ yards to pound	do	.42
Cotton shirting, 7-8	do	3¾ yards to pound	do	.50
Cotton sheetings, 4-4	do	3 yards to pound	do	.60
Cotton, Osnaburg, 3-4	do	6 ounces per yard	do	.60
Cotton, Osnaburg, 7-8	do	8 ounces per yard	do	.70
Cotton drills, 7-8	do	3 yards to pound	do	.70
Cotton shirting, stripes	do	do	do	.70
Cotton tent cloths	do	10 ounces per yard	do	.87
Cotton warps	do		Per pound	1.63
Army shoes	do		Per pair	10.00
Shoe thread	do		Per pound	2.00
Wool socks, men's	do		Per pair	1.25
Mules	First rate	Wagon, &c	Average price per head	300.00

On the above enumerated cotton cloths, pro rata as to greater or less width or weight.

In assessing the average value of "first-class artillery and wagon horses at $350," we designed that the term should be accepted and acted upon according to its obvious common-sense import. In other words, that horses should be selected and then impressed accordingly as their working qualities and adaptation to army service, together with their intrinsic value, would warrant a judicious purchaser in considering them as coming within the contemplation of the commissioners when they assessed the average value of such horses as the Government needed at $350. But cases might arise, however, when the public exigencies would be so urgent as to demand that all horses at hand should be impressed. Yet under ordinary circumstances, when family or extra-blooded horses or brood mares of admitted high value are impressed, we respectfully suggest to the Secretary of War to have instructions forwarded to the impressing officers to propose and allow the owners to substitute in their stead such strong, sound, and serviceable horses or mules as shall be considered and valued by competent and disinterested parties as first-class artillery horses, or first-rate wagon mules.

The term "average value per head" was used in contradistinction to a fixed and uniform price for each horse or mule. We supposed that in impressing a number of horses or mules, whether owned by several persons or one individual, that some might be estimated at $250, or even at less, and others at different advanced rates, according to their worth, up as high as $450, or above that amount—thus making an average value or price for a number of good, sound, and efficient horses $350 each, and mules $300 each.

In illustration of our views we will add that a horse with only one eye sound might in all other respects be classed as a first-rate artillery horse, yet the loss of one eye would justly and considerably curtail his value. So a horse from ten to eighteen years of age might be deemed in all other particulars as a first-class artillery horse, but of course however efficient or able to render good service for a year or so, yet his advanced age would justly and materially impair his value. Any horse, however he may approximate the standard of a first-class artillery horse, must, according to deficiencies, fall below the maximum price; and as few comparatively exactly come up to the standard, and therefore are entitled to the maximum price, so of course in all other instances the price should be proportionately reduced as imperfections place them below the standard of first-class, &c.

E. W. HUBARD,
ROBERT GIBBONEY,
Commissioners for Virginia.

SCHEDULE B.—*Hire of labor, teams, wagons, and drivers.*

	Quantity and time.	Price.
Baling long forage	Per 100 pounds	$0.30
Shelling and bagging corn; sacks furnished by Government	Per 56 pounds	.05
Hauling	Per cwt. per mile	.06
Hauling grain	Per bushel per mile	.03

SCHEDULE B.—*Hire of labor, teams, wagons, and drivers*—Continued.

	Quantity and time.	Price.
Hire of 2-horse team, wagon, and driver; rations furnished by owner	Per day	$10.00
Hire of same; rations furnished by the Government	do	5.00
Hire of 4-horse team, wagon, and driver; rations furnished by owner	do	13.00
Hire of same; rations furnished by the Government	do	6.50
Hire of 6-horse team, wagon and driver; rations furnished by owner	do	16.00
Hire of same; rations furnished by the Government	do	8.00
Hire of laborer; rations furnished by owner	do	2.00
Hire of same; rations furnished by the Government	do	1.00
Hire of same; rations furnished by owner	Per month	40.00
Hire of same; rations furnished by the Government	do	20.00

E. W. HUBARD,
ROBERT GIBBONEY,
Commissioners for Virginia.

By order:

S. COOPER,
Adjutant and Inspector General.

ATLANTA, *August 24, 1863.*

His Excellency JEFFERSON DAVIS,
Richmond, Va.:

Major Cummings has shown me the substance of his report to the Commissary-General. May I beg you to call for and read it. There are a great many wild cattle in lower Georgia. Florida cow-drivers cannot be had in that country, nor do the people care to sell cattle for currency at present prices. I beg to suggest that you order details from the force under Brig. Gen. Howell Cobb to drive them out immediately and pay the people very liberal compensation for them. Under the impressment system and compensation allowed, the people are curing their meat. I think the commissaries should be instructed to get and put up the prices of provisions to a point that will satisfy the people. I beg you look over the ground and consider this matter.

JOS. E. BROWN.

AUGUSTA ARSENAL, *August 24, 1863.*

Hon. J. A. SEDDON,
Secretary of War, Richmond:

SIR: I have been requested by the companies raised at this place for local defense, several of whom forwarded their muster-rolls to the Governor of this State, to ascertain if such action places them on a different footing from those whose rolls pass through my hands direct to the War Department. The Governor of Georgia made a call on the State for the local troops required by the President, requiring the companies thus formed to forward their muster-rolls to his office at Milledgeville, whence commissions would issue by him and the complete organizations then turned over to the Confederate service. This call of the Governor states that forty-four rank and file would be received as a company, and many having this number or something beyond it tendered their services accordingly. Under General Orders, No. 86, Adjutant and Inspector General's Office, current series, each company is required to have (foot) not less than sixty-four rank and file. This difference between the State call and the orders above

alluded to causes a detention in the organization for the defense of the city, it not being clearly understood how far the Governor's authority in the premises extends, and whether it be intended that all the muster-rolls should pass through my hands or through the Governor's. I have stated to the parties that the companies who have tendered their services through the Executive of the State would be accepted by the Government whenever the number reached that prescribed in General Orders, No. 86; but I could not state what would be the course of action on those of a less number. The Governor has commissioned the officers of several of the companies accordingly who have forwarded their muster-rolls to his office, whilst others have sent their rolls to this office. Will all the officers be recommissioned by the Confederate Government, or is it expected that the Governor should commission them alone? Also, will the companies of this city and vicinity all be received into the Confederate service on the same footing which have been raised under the act for local defense? That is, shall those first organized and drafted under the call for 8,000 men from Georgia, and raised in the city of Augusta and its vicinity, be included into the local force raised here in addition thereto? As they constitute an important portion of the local force for the defense of this city, it is very desirable that they be considered as a part of the local force for its special defense, and hence received on the same terms as the others, to be retained at Augusta and not subject to be ordered to other places. The commissions issued by the Governor appear to be State commissions requiring the officers to be subject to his orders, if I understand them properly, although mustered for Confederate service.

Very respectfully, your obedient servant,

GEO. W. RAINS,
Colonel, Commanding.

HEADQUARTERS CONSCRIPTION,
Macon, Ga., August 24, 1863.

Col. JOHN S. PRESTON,
Bureau of Conscription, Richmond, Va.:

COLONEL: By a decision of the superior court of Georgia, many persons who have substitutes in the service have been made liable by reason of the age of the substitute being called for by the President. It will be impossible to conscript these parties unless an order is issued to the commanding officers of regiments, battalions, &c., to furnish promptly a full list of substitutes in their commands, giving the regiment, company, date of enlistment and age, and the name and post-office of the persons for whom they were substituted. Please have such an order issued immediately.

I am, colonel, your obedient servant,

CHARLES J. HARRIS,
Lieutenant-Colonel and Commandant of Conscripts, Georgia.

[First indorsement.]

BUREAU OF CONSCRIPTION,
Richmond, Va., August 31, 1863.

Respectfully referred to the War Department with the request that the suggestion of Colonel Harris be complied with. I respectfully ask attention to my letter of the 20th of August on the same subject.

JOHN S. PRESTON,
Colonel and Superintendent.

[Second indorsement.]

SEPTEMBER 2, 1863.

ADJUTANT-GENERAL:

The abuses that have been detected in the matter of substitutes render this inquiry a proper one. Publish an order requiring a report as recommended.

By order:

J. A. CAMPBELL,
Assistant Secretary.

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
DEPT. OF TENNESSEE, MISSISSIPPI, AND ALABAMA,
Columbus, Miss., August 24, 1863.

Col. BENJAMIN S. EWELL,
Assistant Adjutant-General:

My work of organization for Mississippi will soon be completed. The greater portion of the men gathered up and to be sent to the army of General Johnston will pass into the army while it occupies its present position by Meridian. Many men belonging to the Army of Tennessee must also be gathered up, and will likewise reach that post. Others, particularly conscripts, will reach Meridian destined for camp at Enterprise to await distribution. To give proper direction to these men so concentrated at that place, a distributing office for these men, to give orders for the proper distribution and for transportation, becomes necessary, and I respectfully request that General Johnston order one established and place in charge of it an intelligent officer, charged with the duties above indicated and such others as may be proper in the judgment of the general. A similar office for distribution of men in the army will be necessary at Morton.

With great respect,

GID. J. PILLOW,
Brigadier-General, C. S. Army, and Supt. of Conscripts.

[Indorsement.]

The commandant of the post at Meridian would be the proper officer, as the duty suggested by General Pillow is one of the legitimate duties of commandants of posts.

Respectfully,

J. D. BRADFORD,
Major and Assistant Inspector-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., August 25, 1863.

General J. E. JOHNSTON,
Commanding, &c.:

GENERAL: The letter of General Pillow, with inclosures and your indorsement commending it to my special attention, has been handed to me by the officer to whom you intrusted it. It has received my earnest attention, and will, probably, after conference with Colonel Preston, now in charge of the Conscript Bureau, constitute the basis of arrangements to give greater promptitude and efficiency in the enforcement of conscription.

Graver difficulties, however, exist in connection with this subject than are probably recognized by General Bragg and yourself. You look at it naturally with almost exclusive view to the speedy recruitment of your army, and for that essential end do not hesitate to press with more haste and less formality of examination and allowance of exemptions than are required by the terms of the law. General Pillow, whom I am gratified to see securing the confidence and support in such high degree, both of his generals and of the Governors of the surrounding States, with the machinery and action employed by him, not unfrequently is compared to the press gang, sweeping through the country with little deference either to law or the regulations designed to temper its unavoidable rigor, without detracting from its legal force. You are not aware of the extent and frequency of the remonstrances, indignant and bitter, which, during the former exercise of similar powers, came up to the Department from various quarters. The action of the Department is bound to be more regular and measured, respecting the legal rights of exemption and disability, not less fully than enforcing the claims of the country for military service. The contrary course, persisted in for any length of time, while it may secure at once a larger number of recruits, will probably cause in the end a degree of dissatisfaction and positive opposition that may reverse the public feeling of the country and operate most disastrously to the Confederacy and the cause.

Hence, while under the exigency of the present time I accord to General Pillow the power exercised by him, originating in the discretion of commanders as a military necessity, I must regard it as temporary, and not to be permanently continued under the sanction of the Department without regulations to temper his action.

There are peculiar reasons, of a character political more than military, which make me hesitate to embrace the State of Georgia within the authority heretofore allowed. Further inquiry will, however, be made on this point, and I shall be better prepared in a few days to determine on the expediency of such extension. Meantime General Pillow had better confine his operations to the States in which he is already operating.

With high regard,

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., August 25, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have considered the matter referred to this Bureau in the letter of General Pillow, addressed to the Adjutant-General, and the papers and indorsements accompanying. The proposition is to abolish the system instituted under the laws of Congress and to replace it by a system of military enforcement under the direction of General Pillow. The allegation on which the proposition is made is that the existing legalized system is inefficient for the purposes for which it was established by reason of "the want of an adequate number of competent officers and supporting forces." The recommendation is that the supernumerary officers of the Army be organized "to work in

accord with the conscript organizations." No plan is submitted for "supporting forces."

The point to be decided is whether the existing legal system, strengthened by the addition of competent officers and supporting forces, may not be as efficient as the substitution proposed by General Pillow. It is certainly more consistent with established law, and in view of the policy and requisitions of that law I regard it as more consistent to the ends proposed, that of supplying and maintaining the armies of the Confederacy. For adjusting the rights of citizens, for maintaining the internal police and production of the country, and for sending into the field persons liable to military service, the recommendations made by this Bureau within the last thirty days, if allowed, will be speedy and efficient. They will reach also to a remedy for improper and unnecessary details which abstract large numbers from the field. For the arrest and speedy return of the vast numbers of stragglers, deserters, and other absentees, as I have heretofore suggested, large additional authority and force will be necessary for the procurement of efficient results. The plan of General Pillow, while it proposes to act in accord with the conscript system, is, to the extent of this latter function, an entire displacement of the authority of the Bureau and a proposition to place it in his hands; in a word, to abolish the Bureau as it now exists and give the whole matter into the hands of General Pillow. Or, if to work "in accord with the conscript system," it is a naked proposition to make General Pillow superintendent and give him added powers and forces to execute its functions. If such be the decision, then General Pillow will be ordered to take charge of the Bureau, and the supernumerary officers of our armies, with supporting forces, will be placed under his command, and, in the words of Governor Harris, "the jurisdiction of General Pillow's recruiting bureau will be extended throughout the Confederate States." Governor Shorter, Governor Brown, Generals Johnston and Bragg in effect recommend the same thing. With great diffidence I dissent from this weighty authority—first, because I think the plan is not warranted by law; second, because I regard it as at variance with the policy of the law; third, because I believe the conscript system, with the additional powers and forces asked for by General Pillow, will be more efficient than the plan proposed.

It is due to myself as superintendent to say that these conclusions are not induced by a desire to hold that position. I would infinitely prefer to go into the field or on other duty, with my present rank, rather than to hold that rank and remain in charge of this Bureau. I am contented in it solely because I believe I can serve the country in administering its duties. If the Department regards it better for the public service that an officer so highly recommended as General Pillow for the peculiar duties of this Bureau should be placed in charge, I am ready, most cheerfully, to give it up and be assigned to other less responsible and humbler service.

In the original system of conscription prescribed by General Orders, No. 82, 1862, the matter of arresting deserters, stragglers, and other absentees is not contemplated or provided for. It was subsequently gradually engrafted on the system, beginning with General Orders, No. 7, 1863.

The organization was quite sufficient for the duties first prescribed if rigorously administered, but the immense, almost incalculable, increase of deserters and other absentees, and the want of corresponding expansion of the powers and addition to the agencies of the

Bureau, render it impossible, with present means, to execute the extraneous duties. It is therefore fairly worthy of consideration whether the additional means necessary be given to the existing organization or whether the service requiring them be transferred to some such organization as proposed by General Pillow. If General Pillow's plan is adopted to the full extent proposed, my opinion is that before the 1st of January more than one State will by law prohibit its execution within their limits, and that in many localities such armed resistance will be made to it as will require more men for its execution than are the objects of its search. Ten armed men in the mountain fastness, sustained as they are by the sympathies of the people against the appearance of military force, will require fifty of General Pillow's men to arrest them.

The countless applications for authority and commissions, with plans annexed, to arrest deserters, expanding progressively from a small swamp in the Carolinas or a close valley in Virginia to the area of the Confederacy will all fail if based solely on the military power of the country. The sole remedy is the due execution of the law, aided by the civil arm of the States, and that arm properly sustained by the military force of the Government. The powers of the Confederate Government are not equal to the correction of this evil.

Very respectfully, your obedient servant,

JNO. S. PRESTON,
Colonel and Superintendent.

[Inclosure No. 1.]

HDQRS. VOL. AND CONS. BUREAU, DEPARTMENT NO. 2,
Marietta, Ga., August 7, 1863.

General S. COOPER,
Adjutant and Inspector General:

The great defect in the conscript system is the want of an adequate number of competent officers and supporting forces. By organizing the supernumerary officers of our armies to work in accord with the conscript organization this defect would be in a great degree remedied. That system is in full operation in this conscript department. Including paroled prisoners from Lieutenant-General Pemberton's army, Lieutenant-General Johnston's army can be run up to 60,000 men and General Bragg's to 40,000 by 1st of November, if allowed to draw upon Georgia to the extent of filling the regiments from that State. If directed by the Government the same working forces could fill the Georgia regiments in the Virginia army. A large additional cavalry force can be organized in Middle and West Tennessee by that time. These armies united could go to the Ohio River and hold that line. To effect these results the compulsory system, viz, the conscript service, is essential. Men will volunteer for the cavalry, but not for the infantry army. A similar organization to that adopted throughout this department extended to Virginia, North and South Carolina, and Florida, viz, combining supernumerary officers from General Lee's army with the existing conscript organization in those States, would build up that army in like proportion. I do not want the service, but the country will be lost without extraordinary effort is made. We have the population; they can be put into the Army. It only requires proper effort with a proper organization.

Respectfully,

GID. J. PILLOW,
Brigadier-General, C. S. Army, Superintendent, &c.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TENNESSEE,
August 8, 1863.

I concur fully in the views of General Pillow, and recommend their adoption. But if they are not fully carried out it is important to this army that his jurisdiction be extended over the territory recently added to this Department, in which a large number of men can be had, especially in Georgia.

BRAXTON BRAGG,
General, Commanding.

[Second indorsement.]

MORTON, *August 16, 1863.*

I earnestly recommend the adoption of General Pillow's suggestion. The importance of quickly recruiting this army is so great that I transmit these papers by an officer.

J. E. JOHNSTON,
General.

[Third indorsement.]

AUGUST 25, 1863.

Referred to the Conscript Bureau for consideration and report or conference. I have answered General Johnston leaving the subject for consideration.

J. A. S.,
Secretary.

[Inclosure No. 2.]

EXECUTIVE OFFICE,
Chattanooga, Tenn., August 8, 1863.

Hon. JAMES A. SEDDON:

SIR: Allow me [to] suggest respectfully that the importance of bringing to the field at once all stragglers, deserters, and conscripts cannot be overestimated. Under the defective system created by the conscript law, recruiting is necessarily entirely too tardy to meet the emergencies and absolute necessities of the public service. A remedy for this evil I am satisfied may be found in extending the jurisdiction of General Pillow's recruiting bureau throughout the Confederate States, and giving it the supernumerary officers of the several armies with an ample supporting force. General Pillow has experience in this branch of the service, and I know of no man who would equal his efficiency in it. Give him the authority and the means and he will recruit your armies to a high point of efficiency. If it is deemed inexpedient to make the jurisdiction of his bureau coextensive with the boundaries of the Confederacy, it is certainly a matter of the highest importance that it be extended over the State of Georgia, where there are a very large number of men, citizens of that State and other States, who should by all means be put into the service at once. The men now out of the Army cannot be brought to the field by orders. It requires systematic effort and force to bring them. Give General Pillow the authority and the force necessary and it is the work of a few months to put the whole population (subject to military duty) in the field, while under the old system the work of years will fail to accomplish so fully.

I have the honor to be, very respectfully, yours, &c.,
ISHAM G. HARRIS.

[Inclosure No. 3.]

MARIETTA, GA., *August 10, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

DEAR SIR: General Pillow has read to me his statement to you, with the indorsement of General Bragg and the letter of Governor Harris. While I do not entirely concur with the general as to the capacity of Georgia to fill up her regiments, I am satisfied that much may be done by energy, activity, and the use of a sufficient force. One objection to the present system is that the local enrolling officers too often have their personal favorites and are too often influenced to neglect duty and leave men not enrolled who are subject. The plan suggested by General Pillow removes this difficulty to a great extent by sending into such localities men to enforce the act who are not subject to the local influences which often control local enrolling officers. Again, there is a considerable army of refugees in this State and a large number of persons detailed to work at different occupations which could be as well attended to by persons not subject to conscription. The present system does not seem to reach either of these classes; the system proposed would, I trust, reach both.

While my views of the conscript act are well known to you and have undergone no change, the law has been acquiesced in by this State, and as that is now the plan adopted by the Government to recruit the Army, I am quite sure if we expect to save the country from ruin it will become necessary to execute it or some other system with more energy and activity than has heretofore been employed. Our position would seem to be a critical one, and I fear that nothing short of early and heavy re-enforcements to the Army can save us from the most unfortunate calamity which can befall a people. There are now vast numbers of stragglers who are not arrested by the present enrolling officers, and the evil seems to be increasing daily.

So far as I am able to learn the paroled men who lately composed Lieutenant-General Pemberton's army, whether justly or not, have so completely lost confidence in him that but a small portion of them will obey his call and return. If they are again to be commanded by him it will be necessary to adopt means to get them back, and I fear great difficulty in its accomplishment. It may be deemed inappropriate for me to allude to this. My excuse is that the condition of the country is such as to require the utmost frankness, and as I know the fact to which I allude to exist, and feel satisfied that without the return of these men to duty we are in extreme peril, I feel that I should not discharge a duty which I owe to you and to the country were I not to communicate it. I have no charge to make against General Pemberton. He may be a good general. But as I have seen a great many of the officers and men who were under him at Vicksburg and have conversed freely with them, and have never yet found a single one of them who has confidence in him, I feel that the Government ought to be advised of the existence of a fact known to and regretted by the whole country. Without some change to inspire the troops with confidence, General Pillow or any one else who attempts to carry them back will need a heavy and an active force.

Trusting that such measures may be adopted as will fill up our depleted ranks in the shortest time possible.

I am, very truly, yours, &c.,

JOSEPH E. BROWN.

P. S.—In addition to the reasons mentioned in this letter, I suggest that the use of the supernumerary officers of the Army by General Pillow supply an apparent defect in the laws and greatly augment the effective enrolling force, which makes his system a net-work covering his whole department and making it very difficult for a person subject to do service under the act to escape.

J. E. B.

[Inclosure No. 4.]

EXECUTIVE DEPARTMENT,
Montgomery, Ala., August 13, 1863.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond:

SIR: General Pillow has read me a letter addressed to the Adjutant-General upon the defects in the execution of the conscript law and the organization of a bureau with a competent roll of officers and supporting force for a successful administration of the law. This subject is one which has caused me much anxiety, and I am well satisfied that General Pillow has discovered the true reason why the conscript law has not yielded the troops to re-enforce our depleted armies. Upon reflection I am thoroughly convinced that the plan of organization recommended by him is the only one which promises such timely results as are needed to save the armies of General Bragg and General Johnston.

With the wonderful energy with which General Pillow has unreservedly consecrated his powers of body and mind in this important department of the Army, if allowed the full latitude of his plan I doubt not he will accomplish all which he proposes. The favorable results of his administration in Tennessee and North Alabama give assurance of this expectation. I sincerely hope that, at least so far as concerns the Army of Tennessee and the Army of Mississippi, he may be empowered to the fullest extent of territory and resources of officers and men to clear the country of stragglers and deserters and conscripts whose places are now in the field. And looking to the broader sphere of usefulness in which his services might be secured, I believe that if his bureau was extended even to cover the Confederacy he has the experience and administrative skill, as I know he has the energy, to make his plan of operation of unequaled advantage to the Army of Virginia.

Respectfully, your obedient servant,

JNO. GILL SHORTER,
Governor of Alabama.

MACON, MISS., *August 25, 1863.*

His Excellency JEFFERSON DAVIS,
Richmond, Va.:

Two regiments, three battalions, and some unattached companies of mounted men volunteered and were organized in a district of country declared by Lieutenant-General Pemberton to be beyond the reach of the conscript officers upon the assurance that they should not be conscripted or their organization interrupted. They volunteered for State service; are now in active service under the orders of Confederate officers. Any effort to conscript these commands will be attended with total demoralization of the men and the loss of the services of a great many. I suggest for the good of the cause that these commands remain as now organized.

JOHN J. PETTUS.

CONFEDERATE STATES OF AMERICA,
QUARTERMASTER-GENERAL'S OFFICE,
Richmond, August 26, 1863.

Hon. J. A. SEDDON,
Secretary of War:

SIR: On the 21st of June last my predecessor called your attention to the amount of requisitions issued from this department and remaining unanswered, owing to the fact that requisitions from other bureaus have been preferred and marked special. From a statement received from the office of the Secretary of the Treasury, dated the 22d instant, there remained in his office requisitions not signed amounting to $35,191,350.77. Of this sum $34,570,366.77 were requisitions in favor of the officers of the Quartermaster-General's Department, leaving the sum of $620,934 in favor of all the other bureaus of the Department of War. Add to the former sum requisitions issued since the 22d instant, amounting to $13,066,824.41, and which still remain in your office, thus showing that there are requisitions unpaid amounting to $47,637,191.18. If this state of things is to continue it is apparent that the effect must be to render the operations of my branch of the public service inefficient, if it does not paralyze it altogether. Under these circumstances I deem it my duty to invite your attention to the facts above stated, and to request that some definite action may be taken which will secure to this department the payment of the funds already requested and in future insure its full proportion of the funds required according to the ratio which this office holds under the appropriation as authorized to be issued monthly by the Treasury Department. It is suggested at the Treasury Department that the most effectual and equitable measure of relief is for the War Department to withhold entirely all further special requisitions until those now in the Treasury should be signed.

I respectfully submit this plan as the only one that occurs to me by which this Bureau can be relieved of its present embarrassment without injury to any other branch of the public service.

I am, sir, very respectfully, your obedient servant,

A. R. LAWTON,
Quartermaster-General.

RICHMOND, VA., *August 26, 1863.*

Governor J. E. BROWN,
Atlanta, Ga.:

Directions have been given to use the means indicated in your dispatch and hasten the delivery of the beeves referred to. The commanding general has already acted in accordance with your views, and expressed concurrence when shown to him.

JEFFERSON DAVIS.

MARIETTA, *August 26, 1863.*

Mr. A. FULLARTON,
Acting Consul of Great Britain:

DEAR SIR: In your letter of the 17th instant, now before me, you conclude that I misunderstood you when you admitted the right of the State to claim the services of British subjects resident within its limits to defend, to a limited extent, the places of their residence against local invasion by a foreign power. You are pleased to say

that such service might be rendered by them in the event of a war by a "foreign power," but not in a civil war like that which now rages on this continent. Then you still admit that by the laws of nations Her Majesty's subjects resident in this State may be compelled to render the service now required; in other words, to defend the places of their residence against local invasion by a foreign power. And it follows, you being the judge, that the claim now made upon Her Majesty's subjects for service is in accordance with the laws of nations, if the Confederate States, of which Georgia is one, are at war with a foreign power. But in your attempt to escape the just conclusion which results from your admissions you virtually deny that the United States is a foreign power, and claim that Georgia is still a component part of the Government of the United States. You have probably been influenced in your persistence in this error by the forbearance of the Government and people of the Confederate States in permitting Her Majesty's consuls to remain among us in the exercise of the functions of a position to which they were originally accredited by the Government of the United States. As it is no part of my purpose to enter into an argument to convince you that the United States is a hostile power foreign to Georgia, I will dismiss this part of the controversy with the single remark, that if your pretensions be correct, your appeal for the protection of British subjects resident within this State should have been made to the Government at Washington and not to me. You are pleased to inform me that you have felt compelled to advise those drafted to acquiesce in the duty until they are required to leave their immediate homes or to meet the U. S. forces in actual conflict; in that event to throw down their arms and refuse to render a service the performance of which would run directly in the teeth of Her Majesty's proclamation, &c.

It is worthy of remark that the language you employ is "to leave their immediate homes or to meet the U. S. forces in actual conflict." Your advice, then, to British subjects, if I correctly understand it, is that when the U. S. forces attack the immediate locality of their homes, or their own houses, they are not to defend them as required by the laws of nations against such local invasion, but they are to throw down their arms and refuse to fight for the protection of their domiciles. In reply to this, it is my duty to inform you that I can neither be bound by your pretensions that the United States is not a power foreign to Georgia, nor can I admit the right of Her Majesty by proclamation to change the laws of nations and insist upon maintaining her subjects here and exempting them from the performance of the duties imposed upon them by the laws of nations. When the troops now drafted have been turned over to the Government of the Confederate States to be held in readiness to repel local invasion, if they should, upon the approach of a hostile force, follow your advice and throw down their arms, that Government will have the power to pardon for such conduct, or to strike their names from its muster-rolls if it chooses to do so; but if an attempt should be made by the enemy upon the immediate locality of their homes while I control and command the forces to which they are attached, and they should be guilty of conduct so unnatural and unmanly as to throw down their arms and refuse to defend their domiciles, they will be promptly dealt with as citizens of this State would be should they be guilty of such dishonorable delinquency.

In another part of your letter you take occasion to say that you do not see why the change in political relations of this country has

imposed new obligations upon the subjects of Her Majesty, as they had no voice in the councils which brought about the present state of affairs. With the same reason you might say that you cannot see why the laws of nations require British subjects in any case to defend their domiciles when located in a foreign country against the local invasion of another foreign power when they had no voice in the councils which formed the government in which they are permitted to reside. I insist that British subjects, resident within its limits, though they had no voice in the formation of the new government, owe the same service to it when established which they owed before its formation to the government whose power originally extended over its territory and embraced their homes; and that they are bound to conform their conduct to the new order of things or to seek homes and protection elsewhere. But I am informed by your letter that, with regard to the protection afforded by the State to an alien, it appears to you to extend little beyond the safety of life. And as the laws of Georgia forbid an alien to hold certain kinds of property, you cannot see how a thing can be protected which is not suffered to exist. Upon this first point I need only remind you that our courts are at all times open to aliens belonging to friendly powers for the redress of their wrongs, and that the same protection is extended to their persons and all the property they legally possess which is enjoyed by citizens of this State.

I trust a re-examination of the laws of your own country would satisfy your mind upon the other point, as you will there find that the laws of Great Britain forbid an alien to hold "certain kinds of property," and it is the boast of that Government that it protects aliens who reside within its jurisdiction. The laws of Great Britain in reference to the right of aliens to hold certain kinds of property while domiciled in that kingdom are certainly not more liberal to the citizens of Georgia than the laws of Georgia are to the subjects of Great Britain.

While I am unable to perceive the justice of your complaint in the particulars last mentioned, it is gratifying to know that there is no law of nations or of this State which throws any obstructions in the way of the removal of any British subject from the State who is not satisfied with the privileges and protection which he enjoys. You remind me, however, that not a few of them are mechanics, of whose inestimable services at this crisis the Confederacy will be deprived in case of their removals. These mechanics have no doubt remained in this State because they felt it their interest to remain, and in reference to them this State will very cheerfully adopt the rule which generally controls the British Government. She will consult her own interests and will exempt from military service for local defense such mechanics who are aliens as choose to remain and will be more serviceable in that capacity.

I reply in the affirmative to your inquiry whether aliens already drafted may avail themselves of the alternative of leaving the State in preference to rendering the service. While an alien will not be permitted to evade the service by leaving the State temporarily during the emergency and then returning, his right to leave permanently when he chooses will not be questioned. I do not insist that an alien shall remain here to serve the State, but I contend that while he chooses to remain under the protection of the State he is bound by the laws of nations and of this State to obey her call to defend his domicile against insurrection or local invasion.

This, I apprehend, is all that is intended to be claimed by your Government in the instructions which you quote. While the British Government has a right to demand that its subjects shall not be detained here against their will and compelled to take up arms on either side, it certainly would not place itself before the world in the false position of insisting on the right of its subjects to remain in another State contrary to the wish of the government of such State, and to be exempt from the service which, by the common consent of nations, such State has a right to demand.

You conclude your letter by informing me that my decision contrasts strongly with the conduct of the United States Government, who have conceded the claim of bona fide British subjects to exemption from any military service whatever.

As the United States Government is the invading party in this war, and can but seldom need the services of British subjects to defend their domiciles, which are scarcely ever subject to invasion, as it has no right under the laws of nations to compel them to bear arms in its invading armies, as it is not in a condition to be compelled to economize its supply of provisions, and as it is reported that it has by the use of money drawn large numbers of recruits for its armies from the dominions of Her Majesty, in violation of the laws of her realm, it may well afford to affect a pretended liberality, which costs it neither sacrifice nor inconvenience. But you say that my decision also contrasts strongly "with that of the Governors of other Southern States, who, upon representation, ordered the discharge of British subjects forcibly detained in service." In a former part of your letter, when speaking of the advice given to British subjects to throw down their arms in case they should be required to meet the U. S. forces in actual conflict, you use this sentence: "In other States British subjects imprisoned for following this advice have already been discharged from custody and service by order of the War Department." Excuse me for remarking that these two sentences contrast so strongly with each other that I am unable to understand why it became necessary for the War Department to interfere and discharge British subjects imprisoned in other States for throwing down their arms and refusing to fight, if the Governors of those States had, upon representation, in all cases ordered the discharge of British subjects forcibly detained in service.

Trusting that my position is fully understood by you, and that it may not be necessary to protract this discussion, I am, with high consideration and esteem,

Very respectfully, your obedient servant,

JOSEPH E. BROWN.

HDQRS. VOLUNTEER AND CONSCRIPT BUREAU,
DEPARTMENT OF TENNESSEE, &C.,
Columbus, Miss., August 26, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

Inclosed you will please find copy of correspondence between myself and Major-General Gholson, of Mississippi State service; also copy of letter from myself to the Governor of this State.* I received no reply to my letter to the Governor, but General Gholson's letter may be considered as giving the Governor's position and as replying to my

*Not found.

applications. You will perceive from my communications to both of these officers that I have sought to carry out the orders of the Department without producing irritation and without conflict of authority. But from the position assumed by the Governor, viz, "that the State cavalry is exempt from conscription," it is manifest that an immense number of men liable to conscription will escape the Confederate service altogether.

These cavalry organizations of State forces are principally composed of conscripts who entered that service to keep out of the infantry. The country is full of floating companies of cavalry without having been mustered or received by the State authorities; all claiming to be parts of the State force, and taking shelter from conscription in these organizations. If these organizations, or mere aggregations of numbers, are all to be exempted, then I do not know where I am to find men to fill up Mississippi regiments of infantry now in the service.

The whole matter is respectfully submitted to the Government for its decision and such action as it may judge proper.

I am, sir, with great respect, your obedient servant,

GID. J. PILLOW,

Brigadier-General, C. S. Army, and Supt. Department of Tennessee, Alabama, and Mississippi.

P. S.—Just received letter from Governor Pettus. Herewith please find an official copy.

[Inclosure No. 1.]

HDQRS. VOLUNTEER AND CONSCRIPT BUREAU,
DEPARTMENT NO. 2,
Columbus, Miss., August 26, 1863.

Major-General GHOLSON:

I acknowledge the reception of your dispatch of the 25th instant by courier. You say "the State cavalry now in the service was organized under authority of the War Department. * * * The Governor informs me that they are not subject to conscription," &c. By reference to paragraph II, page 17 of the printed pamphlet (a copy of which I handed you), you will perceive that the Secretary of War in that order of July 20, 1863, says that "companies, battalions, and regiments composed of persons not within the age of conscription (eighteen and forty-five) will be accepted as volunteers * * * for local defense and special service; those persons belonging to such organizations who are of conscript age, and neither exempted by law nor already in the service, will be discharged and report to the Bureau of Conscription." This general order of July 20, 1863, evidently embraces both cavalry and infantry. If the cavalry mentioned by you as State force was raised by orders of the War Department (which I do not question), the orders of the same authority of subsequent date directs those men who are subject to conscription in all such organizations shall be discharged. In military authority the last order is the one to be carried into effect. I am therefore unable to perceive the justness of the Governor's conclusion, "that this State force is not subject to conscription where the members of the organizations are within the conscript age." If the view taken of this matter by the Governor is concurred in by the War Department, I shall, with pleasure, give such orders as will prevent any interference with those State cavalry forces by officers of this bureau, and I will at present direct all officers of this bureau to abstain from such

interference until the decision of the Department upon this point is made known. In the meantime, before the latter can be issued, it will be necessary for me to know what companies, battalions, and regiments of State cavalry are comprehended in the Governor's State forces so claimed as exempt from conscription. I have information of the existence of many companies and some battalions afloat in different portions of the State all claiming to be State forces and raised under the call of the Governor for local defense and special service, all of whom claim exemption from conscription, but many of whom have never been received or mustered by State or other officers. You will perceive, therefore, that unless I am furnished with a list of those State cavalry organizations that it will be difficult for me to shape orders that will protect these State forces from conscription without likewise exempting a very large number of floating cavalry organizations which have not been received or mustered by State authorities, and thus giving shelter to a very large number of conscripts who are greatly needed to fill up the many reduced Mississippi regiments in our armies. I therefore respectfully request that you will furnish me with the list of State cavalry organizations claimed by the Governor as exempt from conscription at your earliest convenience.

Respectfully,

GID. J. PILLOW,
Brigadier-General, C. S. Army,
Supt. Bureau for Tennessee, Alabama, and Mississippi.

[Inclosure No. 2.]

EXECUTIVE OFFICE,
Macon, Miss., August 25, 1863.

Brig. Gen. GIDEON J. PILLOW,
Superintendent Volunteer and Conscript Bureau:

GENERAL: Your communication to His Excellency Governor Pettus, without inclosure, as stated, in relation to supposed conflict between the Confederate and State military authorities in relation to conscripts, &c., is at hand. The Governor directs me to say that he supposes Major-General Gholson has shown him a copy of the communication which you intended to inclose in your note, and I am directed further to say that the State authorities have no intention to embarrass the efforts of the conscript officers to recruit the Army, but on the contrary to render to them the assistance in their power. No interference on the part of the military authorities of the State will be permitted with the men of conscript age subject to conscript duty, but exempts under the Confederate conscript laws are by the militia laws of the State made subject to militia duty, and it is not understood under what authority conscript officers act who give details to exempted conscripts so as to defeat the positive enactments of the State Legislature. Men of conscript age are either conscripts or exempts; if exempts they owe military duty to the State, and no simple enrollment or detail to remain at home can be permitted to defeat the claim which the State has upon its citizens for their services.

The conscripting the State organizations will be attended with great confusion and much risk of totally demoralizing the men, and His Excellency is not informed as to any orders which in his judgment require you to do so. These troops were organized at the request of the Confederate commanders of this department and placed under their command.

Lieutenant-General Pemberton, in order to save confusion or conflict on this subject, established a line including Coahoma County, thence through Panola, Oxford, Pontotoc, and Itawamba Counties to the Alabama line, north of which General Pemberton determined was beyond the reach of conscript officers, and men of any age were permitted to volunteer in the State service, with the assurance in so doing, and placing themselves in the service and coming within our lines, they should not be conscripted or their organizations interrupted during the period of their enlistment; and so with quite a number of companies that have been organized since that time under a call from the Governor and General Johnston for troops to serve from three to twelve months. If an effort is made to conscript these commands total disorganization will be the result and the services of a large majority of the men lost to the country. I am therefore directed to request of you a copy of the orders under which you are acting in this matter, and to request you to suspend any further action in regard to the men actually in service until the President can be heard from upon the subject.

I am, general, very respectfully, your obedient servant,

JAS. H. RIVES,
Aide-de-Camp.

BUREAU OF CONSCRIPTION,
Richmond, August 26, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have the honor to inclose a report from Colonel August, inspecting officer of this Bureau in the State of Mississippi. With the report is the act of the Legislature of Mississippi to "aid in strengthening the Confederate Army." I respectfully suggest that it is worthy of consideration to attempt to have similar acts passed by the other States of the Confederacy. Indeed, if still further provisions could be procured by the legislation of the States, so as to bring into active operation the whole civil and military force of the State to aid the purposes intended, it would add immeasurably to the efficiency of this Bureau. I will assume to instruct commandants of conscripts to endeavor to obtain Executive recommendations of such measures.

Very respectfully, your obedient servant,

JNO. S. PRESTON,
Colonel and Superintendent.

[Inclosure.]

ENTERPRISE, MISS., *August 10, 1863.*

Col. G. W. LAY,
Asst. Adjt. Gen., Bureau of Conscription, Richmond, Va.:

SIR: Inclosed you will find a report,* made out by my direction, showing the operations of the conscript department in this State from its organization to the first day of this month, a period of one year. A copy with some explanatory notes will be forwarded you in a few days by Major Clark. You will perceive that the number transferred to the Army bears but a small proportion to the whole number enrolled. After deducting the number discharged by law by reason of their avocations, it will be seen that nearly one-half of the remainder were discharged upon surgeon's certificate. This is easily explained by

* Not found.

the fact that persons who are certain of being discharged on account of physical infirmity never fail to present themselves to the enrolling officer, while great effort is required to get up those who have no such hope or expectation. The report shows that the number of conscripts carried to the Army without being passed through the camps of instruction is 157. It is very certain that the number thus carried was very considerable, but the officers sent on recruiting service have failed to report except as to the above number, and without these reports there is no mode of ascertaining the real number. The number of detailed men is not large, and the details seem in all cases to have been proper and made in conformity to the rules prescribed by the Bureau upon that subject. The number of stragglers and deserters arrested and sent to their regiments appears to be large, and certainly show that the officers have been vigilant in the performance of that part of the duty assigned them. But large as the number seems I am satisfied, from information derived from a variety of sources, that there are this day in the State not less than 5,000 deserters, stragglers, and men improperly absent from their regiments; and this, too, notwithstanding the fact that the Legislature of this State at its last session passed an act making it the duty of the sheriff of each county to arrest every straggler, deserter, or other absentee, &c., and making him liable to indictment for a failure of duty, and upon conviction subjecting him to fine and imprisonment. This law has been pretty much a dead letter, and if known delinquencies have occurred under it, or if sheriffs have been known to fail in their duty under it, there has been unfortunately no courts held in the State in which prosecutions could be instituted against them.

I inclose a copy of the act. It will be seen that its provisions are very ample for the object designed, and had it been faithfully executed the State would have been cleared of deserters and stragglers and the Army would have been greatly strengthened. Besides, men would have been slow to desert with the certainty of speedy apprehension staring them in the face. I regret to be compelled to say that causes are operating in this State which will in a short time swell rather than diminish the number of absentees from the Army. This subject, however, I shall reserve for another communication, which will be forwarded in the course of two or three days. Enrollments have been very much on the increase here for some days past. The tax of $500 upon overseers has been paid in a great many instances, and if the tax was designed at all as a revenue measure it is to be regretted that it had not been put at $1,000 for the exemption and then an annual tax of $500. This amount would have been just as freely paid.

Since I have been in this State I have endeavored to procure information from every source. I have not confined myself to the officials, but have sought information from well-informed persons wherever I have met them, and have mingled and talked freely with them. After leaving this place I spent some time in Brandon and Jackson. At the latter place I called upon the Governor and the adjutant-general, but I could learn nothing of the military condition of the State from the adjutant-general's office. The records are so very meager that I could not ascertain the number of regiments, batteries, &c., furnished by the State, nor could I learn what was the militia force of the State before the war. I requested the adjutant-general to try and procure this information for me, and I shall write to him for it if I do not see him before I leave here. I am satisfied, however, from all the infor-

mation I can get, that there are now in this State not less than 15,000 persons liable to conscription. The enrolling officers seem to be very fully impressed with the importance of their duties, and are displaying in the performance of them, so far as I can observe, proper energy and zeal. If they could have the hearty co-operation of the sheriffs of the State under the late act of Assembly the work might be very speedily accomplished, whereas the whole labor is now devolved upon the officers connected with the conscript department, numbering only thirty-five, including the commandant of conscripts, for the whole State. I shall endeavor to have some means instituted by which the sheriffs can be made to render the aid required by law. I go every day to the conscript office to observe the operations of the department, and give my advice very freely to the commandant when he asks it upon any question coming before him; but since the department here has been placed under the control of General Pillow and the commandant has been referred to him for orders and for the construction of the laws, I have limited myself simply to observing what is done and by giving my advice when it has been asked. There are a number of questions now pending here awaiting the decision of General Pillow. He is expected here in a few days. When his decision is made known, if it should be in conflict with the decisions of the Bureau, I will report the cases in order that such action may be taken in them as they may require.

I have the honor to be, your obedient servant,

T. P. AUGUST,
Colonel and Inspecting Officer, Bureau of Conscription.

[First indorsement.]

AUGUST 29, 1863.

SECRETARY OF WAR:

Two reports of Colonel August upon the subject of recruiting and conscription in Mississippi.* There are matters of much importance treated of in these reports.

J. A. CAMPBELL,
Assistant Secretary of War.

[Second indorsement.]

AUGUST 29, 1863.

Respectfully submitted for the information of the President.

J. A. SEDDON,
Secretary of War.

[Third indorsement.]

Read and returned. The suggestions are worthy of consideration.

J. D.

[Sub-inclosure.]

AN ACT to aid in strengthening the Army of the Confederate States.

* * * * * * *

SEC. 2. *Be it further enacted*, That it shall be the duty of the sheriff of every county in this State, by himself or his deputies, diligently to inquire into the number of persons permanently or temporarily residing in his county subject to the conscription laws of the Confederate Congress, and within the ages called for by the Confederate military authorities, without being entitled to any exemption

* For other report see p. 717.

under the exemption act of said Congress. All such conscripts he shall enroll, transmit their names, and require them forthwith to report for military service to the proper Confederate officer; and he may and shall have authority, if necessary, to arrest such persons, and adopt the measures he may deem needful to insure the execution of his orders and the delivery of such conscripts to the proper Confederate officer or camp of instruction.

SEC. 3. *Be it further enacted*, That it shall also be the duty of said sheriff to arrest every straggler, deserter, or other absentee without leave from the Confederate Army who may at any time be found remaining in or passing through his county, and he shall in all cases be vigilant and active in their detection, pursuit, and capture. He shall examine leaves of absence and furloughs of officers and men belonging to the Confederate forces who may be in his county, and require their return to duty on or after the expiration of the time. He shall have authority to demand and inspect the papers of any person belonging to the Army who may be in his county at any time, and in case of the refusal, failure, or inability of such person to exhibit satisfactory papers accounting for his absence from duty, the said sheriff shall immediately arrest such absentee and have him reported to his proper commander, and as soon as may be delivered to his order, or to the officer in command of the nearest military post of Confederate troops.

SEC. 4. *Be it further enacted*, That in the execution of the duties of his office and the enforcement of the authority with which he is hereby invested, the said sheriff may, if necessary, imprison stragglers and deserters from the Army in the jail of his county, and may employ agents and guards when requisite to keep or deliver any of his prisoners as heretofore directed; and in such cases he shall be allowed his proper expenses, for which it shall be the duty of the Governor to make requisition upon the auditor, who shall issue his warrant therefor upon the treasurer of the State.

SEC. 5. *Be it further enacted*, And that in case of neglect or failure by any sheriff, in any particular, to perform his duty, he shall be liable to indictment, and on conviction shall be fined not less than $100 nor more than $1,000, and be imprisoned not more than two months at the discretion of the court.

SEC. 6. *Be it further enacted*, That each of said sheriffs shall in his county be authorized to call for any assistance to the extent of the *posse comitatus* of the same whenever necessary for the execution of the duties hereby imposed; and if any party thus summoned by him fail or refuse to render the required aid, such person shall be subject to the same penalties declared by law in cases of refusal to respond to the lawful summons of a sheriff in the forcible execution of his office. If resisted, any of said sheriffs will when necessary call upon the nearest military commander and request the aid of a detachment of troops sufficient for the enforcement of his authority in his county under this act.

SEC. 7. *Be it further enacted*, That it shall be the duty of the clerks of the circuit and probate courts, the probate judge, members of the board of police, justices of the peace, and constables in each county to give prompt information to the sheriffs thereof of any conscripts, stragglers, or deserters from the Army, to aid him at all times in the execution of his office; and in his absence any of the civil officers shall arrest such conscripts, stragglers, or deserters as may be found in his county and deliver such prisoners to said sheriff or to the

proper Confederate authority; and for this purpose any of said civil officers shall have power to command the *posse comitatus* of his county. If any of said county officers shall neglect or fail in the execution of the duty hereby enjoined, he shall be subject to indictment, and upon conviction shall forfeit his office, and may be further fined or imprisoned at the discretion of the court. Said civil officer shall be allowed by the Governor reimbursements of his reasonable expenses in obeying the requirements of this act.

SEC. 8. *Be it further enacted*, That every sheriff shall take the receipt of the proper officer of the Confederate Government for every conscript, deserter, straggler, or absentee without leave whom he may arrest and deliver to such officer, and shall be entitled to $5 for every such person delivered by him to such Confederate officer; and the auditor shall issue his warrant therefor on the production of such receipt; and such sheriff shall also be entitled to receive from the State treasury the actual expenses incurred by him in the arrest and delivery of such conscripts, stragglers, deserters, or absentees without leave, for which the auditor shall issue his warrant on the production to him of a detailed account of said expenses, sworn to by the sheriff or deputy sheriff by whom the said expenses were incurred.

SEC. 9. *Be it further enacted*, That this act shall take effect and be in force from and after its passage.

Approved January 3, 1863.

[AUGUST 26, 1863.—For Vance to Seddon, in relation to deserters in western counties of North Carolina who defy the local militia, &c., see Series I, Vol. XXIX, Part II, p. 676.]

EXECUTIVE DEPARTMENT,
Raleigh, August 26, 1863.

His Excellency Governor M. L. BONHAM:

GOVERNOR: I have received your letter informing me that large numbers of deserters and evaders of conscription are banding together in your State for armed resistance, and asking my co-operation in suppressing them. I fully concur with you in the opinion that this condition of affairs calls for prompt action. I have accordingly directed my adjutant-general to order the commanding officers of the militia for Jackson and Transylvania Counties to order out their commands and to co-operate with the State troops of South Carolina. I herewith inclose you a copy of the order.*

I have the honor to be, very respectfully, your obedient servant,
Z. B. VANCE.

RICHMOND, VA., *August 27, 1863.*

Governor J. J. PETTUS,
Macon, Miss.:

Directions have been given not to interfere with the organizations of the mounted men to which you refer in your dispatch of the 25th instant.

JEFFERSON DAVIS.

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*Not found.

RICHMOND, VA., *August 27, 1863.*

Governor J. J. PETTUS,
Meridian, Miss.:

The Secretary of War has assurance that the enrollment can be effected in the river counties generally. Under these circumstances the local defense organizations must be restricted to those not subject to conscription.

JEFFERSON DAVIS.

RICHMOND, VA., *August 27, 1863.*

Hon. J. M. HOWRY,
Oxford, Miss.:

DEAR SIR: Your letter of the 25th ultimo,* brought by Colonel Looney, was laid before me a few days ago. I am glad to have received such full information as to your views concerning the affairs of the country, and shall always be gratified to hear from you. The disasters in Mississippi were both great and unexpected to me. I had thought that the troops sent to the States, added to those already there, made a force large enough to accomplish the destruction of Grant's army. That no such result followed may have been the effect of mismanagement or it may have been that it was unattainable. An investigation of the causes of the failure is now in progress, though, as the misfortunes have already come upon us, it would afford me but little satisfaction to know that they resulted from bad generalship and were not inevitable. Recent events near their own homes have calculated to produce in some minds the feeling of gloom you speak of, but I have not yet seen cause to waver in the conviction to which I have frequently given expression, that if our people now show as much fortitude as we are entitled to expect from those who display such conspicuous gallantry in the field, we shall certainly beat the enemy and secure our independence. As some weeks have elapsed since your letter was written, and the progress of the enemy has not been such as was apprehended, I trust that the people of the State have in a measure recovered from their depression. The recital of your losses during the war pains me; but the firmness with which you bear them and the zeal in the country's behalf which characterizes you and all the members of your family are what I had expected, as the loyalty and true-heartedness of the women of the land, upon which you remark. I beg you to present my compliments to Mrs. Howry, with assurances of my admiration for her patriotic devotion.

With many thanks for the kind and friendly tone of your letter, and with the best wishes for your welfare,

I am, very respectfully and truly, your friend and fellow-citizen,

JEFFERSON DAVIS.

[AUGUST 27, 28, 1863.—For correspondence between Davis and Vance, in relation to forces for the defense of Weldon and Wilmington Railroad, and the non-arrival of troops called for in June, 1863, see Series I, Vol. LI, Part II, p. 759.]

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*Not found.

JOINT RESOLUTIONS in relation to the increase of the Army of the Confederate States.

Whereas, the Confederate Government demands the services of all persons subject to conscription to fill up the ranks of our regiments now in the field, and our State taxed to its utmost to furnish troops for State defense; and whereas, there are large numbers of able-bodied men connected with the Army of the Confederate States on service as clerks, agents, &c., of post or district quartermasters or commissaries, or otherwise employed than in active military service; and whereas, our Army has been greatly reduced on account of the numberless details of soldiers to labor in Government workshops and other places and upon railroads, performing such work as can be and is usually rendered by slaves—

First. *Be it resolved by the Senate and House of Representatives of the State of Alabama in General Assembly convened*, That in the opinion of this General Assembly public sentiment and the exigencies of the country require that all able-bodied men in the service of the Confederate States as clerks, or employed in any other capacity in any of the quartermaster or commissary departments of the Government, should be put in active military service without delay, and that their places be filled with soldiers or citizens who are unfit for active military service.

Second. *Be it further resolved*, That this General Assembly are of the opinion that the details of soldiers from the Army to labor in workshops, foundries, and other places, and upon railroads, have been entirely too numerous, and in many instances useless, and that in the opinion of this body slaves should be required by the Confederate States to take places of all those soldiers who are detailed to labor in the places herein mentioned, when it can be done without prejudice to the service, and that prompt and efficient measures should at once be adopted to effect these purposes.

Third. *Be it further resolved*, That this General Assembly earnestly calls the attention of the President and Secretary of War of the Confederate States to this subject as requiring immediate and energetic action on the part of the Government.

Fourth. *Be it further resolved*, That this General Assembly recommend to Congress such a modification of the exemption law as will correct the evils herein named, and thereby increase the strength of our military force.

Fifth. *Be it further resolved*, That in view of the fact that the Government of the United States has determined to put in the field negro soldiers, and are enlisting and drafting the slaves of the people of the South, this General Assembly submits for the consideration of Congress the propriety and policy of using in some effective way a certain percentage of the male slave population of the Confederate States, and to perform such services as Congress may by law direct.

Sixth. *Be it further resolved*, That the Governor transmit a copy of these resolutions to the President of the Confederate States, the Secretary of War, and a copy to each of our Senators and Representatives from this State in the Confederate Congress.

Approved August 29, 1863.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., August 29, 1863.

Prof. JOHN M. RICHARDSON,
Marietta, Ga.:

SIR: I have received your application for authority to raise a battalion or regiment in Georgia. In reply, you are respectfully informed that no authority can be given to recruit any who are liable to conscription, whether enrolled or not. The only class from whom companies can be formed are those strictly non-conscripts, and no special authority is given or required to raise corps composed of such material. Any one is free to try the experiment, and if a company be raised it will be accepted.

Your obedient servant,

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., August 29, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have the honor to inclose a report from the commandant of conscripts for South Carolina. I fear that it is as truthful as it is graphic. It certainly exhibits a most unhappy condition of things among a people heretofore perhaps the most loyal. In other States the condition is worse, if possible. I am using all the agencies within the control of this Bureau to meet the case. I have addressed an appeal to Governor Bonham to exert the whole executive power in aid of my officers. These officers are devoted, intelligent, and active. I would respectfully suggest a communication direct from yourself to the Governors of Georgia, South Carolina, North Carolina, and Virginia, asking their active co-operation with the efforts of this Bureau, especially in placing at its disposal the civil authorities and the militia force. I am preparing some suggestions for their recommendation to the Legislatures. The matter appears to me grave enough for the active interference of higher authority. I hope in the course of a few weeks to be able to visit in person the different localities for the purpose of supervising temporarily the organizations in progress under the instructions of this Bureau.

Very respectfully, your obedient servant,

JNO. S. PRESTON,
Colonel and Superintendent.

[First indorsement.]

Referred to General Lee.

In connection with the papers sent you this morning, permit me to ask your attention to the inclosed likewise. Some decisive measures are essential to arrest this fearful evil.

J. A. S.

[Second indorsement.]

HEADQUARTERS,
September 15, 1863.

Respectfully returned.

These men seem to be in combination with those in North Carolina. General Hoke with troops has been to the latter State in the hope of

breaking up that gang. Captain Boykin's cavalry has been sent by the Governor of South Carolina to the disaffected region in South Carolina. I understand arrangements have also been made for calling into service men not within conscript age and placing them under the direction of the Conscript Bureau for the performance of the duty herein contemplated. I do not know that anything more can be done at present.

R. E. LEE,
General.

[Inclosure.]

HEADQUARTERS CAMP OF INSTRUCTION,
Columbia, August 25, 1863.

Col. JOHN S. PRESTON,
Superintendent of Conscription:

COLONEL: In your communication of the 17th instant my attention is called to a letter from Maj. A. W. G. Davis, of Greenville, addressed to President Davis, giving information as to the great number of deserters in that district. The statement is regarded by you as perhaps "somewhat exaggerated for want of accurate information," and I am ordered to direct "Major Ashmore to make a proper investigation." I regret to say there is too much reason to believe that the statement of Major Davis is not exaggerated. From Major Ashmore I have a report on the subject under date of August 7, somewhat in detail, a copy of which I inclose and ask your attention to the same. I also inclose copies of two other communications from Major Ashmore of dates 16th and 17th instant on the same subject. This condition of things is not confined alone to the district of Greenville. In Pickens and Spartanburg the same is found—the disaffection being very much limited to the mountainous portions of those districts along the North Carolina line.

From the districts named, and indeed from these very localities now infested with deserters, were raised some of the best companies in service from this State. The people, however, are poor, ill-informed, and but little identified with our struggle. They have therefore been easily seduced from their duty. The mountain coverts have furnished concealment from those sent to effect their arrest. The success of one in securing immunity from service has emboldened others, and the evil has gone on increasing until there can now be found few families which have not a husband, a son, a brother, or kinsman, a deserter in the mountains. The tone of the people is lost; it is no longer a reproach to be known as a deserter; all are ready to encourage and aid the efforts of those who are avoiding duty, and to refuse information to and thwart and even resist those who seek to make arrests. The desertions from General Evans' brigade on its route from Charleston to Jackson a few months ago largely increased the number in these districts. Of that brigade one regiment, the Sixteenth South Carolina Volunteers (Colonel McCullough), was made up almost exclusively of companies from these districts. They had been nearly two years from home; had but recently closed an arduous campaign in North Carolina; were ordered to Charleston, where they hoped to remain. The order to go forward to the west was the signal for a general desertion. These took their arms with them, intending, as I am satisfied, to return to their commands after a hurried visit to their families. But finding among their friends and throughout the country

a change of tone, a weariness with the war, a readiness to counsel and encourage desertion, they have with but few exceptions remained at home. And now from other regiments others are coming out; letters are written from home giving deplorable pictures of the destitution of families. Some few persons of property and some social position are advising and inducing new desertions, and I am informed that it is not uncommon for squads of ten or fifteen to come in from the army, having made their way across the country on foot, and generally bringing their arms.

On the North Carolina side the desertions from General Clingman's brigade are, I am informed, daily increasing their numbers. This condition of affairs has brought its obvious results. Lawlessness pervades the country; the lives and property of the well affected are endangered; the necessities of mutual protection has thrown them into bands; resistance to arrest is organized; they know their leaders, and have their signals of danger and of distress. To meet this state of affairs I have felt the utter inadequacy of the ordinary agencies at my command. To attempt to organize and equip men for this special service would involve much delay. The conscripts liable under the late call are yet in the districts, nearly all being members of the recently organized State regiments, but the using them would be attended with difficulties and embarrassments not to be readily overcome. Of course calls upon the commanding general at present are out of the question. In this emergency I have thought it proper to appeal to His Excellency Governor Bonham. I am gratified to add that he has evinced the liveliest appreciation of the magnitude of the evil, its importance as affecting the success of our cause, the honor of the State, and the internal welfare of our people, and the necessity for immediate and vigorous measures. He promptly tendered me the aid of a company of mounted men under Captain Boykin, which has been in service as State troops for the past twelve months, and with the consent of the commanding general under whom they have been on duty at Georgetown, orders were at once extended to Captain Boykin to report for duty under my direction. He also did me the honor to accede to my suggestion of communicating to Governor Vance his action in the premises and to ask of him the institution of measures on the North Carolina side and the acting in concert with our efforts. The company of Captain Boykin will report in a few days with seventy men. This company I propose to order to Greenville District to take their position in the heart of the disaffected region and there remain until the country shall be cleaned of its malcontents. To the strength of this company I propose to add as many as may be needed, selecting them from the number of those who have volunteered for cavalry service and who can mount and equip themselves. I will also organize such conscripts as are now under my control at the camp of instruction, to which accessions may soon be had from the districts, with the view of using them as an infantry force in the event that the resistance to arrest shall assume the shape of an organized rebellion.

Having communicated all that I think it necessary now to bring to your attention, I respectfully ask the benefit of any suggestions that may occur to you.

I have the honor to be, very truly, yours,

C. D. MELTON,

Commandant of Conscripts for South Carolina.

[Sub-inclosure No. 1.]

HEADQUARTERS CHIEF ENROLLING OFFICE,
FIFTH CONGRESSIONAL DISTRICT OF SOUTH CAROLINA,
Greenville, S. C., August 7, 1863.

Maj. C. D. MELTON,
Commanding Camp of Conscription:

MAJOR: In addition to the consolidated report from these headquarters sent you this day, I beg leave to submit the following fact showing the condition of things within this command for the month of July just closed:

On the 29th of June I assumed the responsibilities of the command to which, under the order of the Conscript Bureau, you assigned me. As soon as it was practicable I visited each of the local enrolling offices (Greenville, Anderson, Pickens, Spartanburg, and Union) and established my headquarters at the center position, Greenville. For the want of books and the repeated change of enrolling officers I found more or less confusion in the mode and manner of keeping the rolls and records of each of the local offices, and offered such suggestions for the systematizing and order of business as my own limited experience and information enabled me to do. I have not since had the opportunity of visiting the several posts to ascertain whether any improvement has been made. The conscription of persons liable to military duty up to the age of forty years has been nearly perfected, but a large number, as will be seen by my consolidated report of the local officers, particularly from Spartanburg and Pickens, have not reported for duty and are now declared deserters by law. In addition to these a very large number of deserters from different commands in the armies of the Confederate States have been reported for arrest, making in the aggregate 502 deserters. From information obtained from many citizens of the highest respectability it is known that a large number of deserters, not yet reported to the local enrolling officers from any official source, are within the bounds of this command, swelling the aggregate in all probability to several hundred more. They have taken refuge in the mountain fastnesses and passes of the districts of Greenville, Pickens, and Spartanburg, and are confined chiefly to these three districts.

On the 13th of July I issued an order in the character of an earnest appeal urging them to return to their duty, a printed copy of which is herewith annexed,* the only effect of which has been to excite their ridicule and contempt, with the exception of some four or five individuals who have been furnished, or are to be, with transportation to your headquarters. This large body of deserters are spread over a large frontier border of over 150 miles, every foot of which is a mountain country and much of it almost inaccessible. They are banded together in tens, twenties, and thirties, are bold, defiant, and even threatening. I have made two excursions to endeavor to see some of their leaders, but have not been able to obtain an interview with any one of them. They have spies and signals to indicate the approach of strangers, and are armed, many of them with Government arms with which they deserted, and are all with weapons such as fowling pieces, revolvers, &c. I have visited, and had to call on me at these headquarters, a very large number of the best and most loyal citizens of the country, who with united voice say that nothing but force can avail anything in bringing these deluded men back to their duty.

* Not found.

They are unfortunately sustained in their conduct by many persons who have been heretofore regarded as good and loyal citizens, and who, if they do not proclaim hostility to our cause, urge that it is lost because of the speculations and extortions so rampant throughout the land, and which, as it is alleged by them, has been the cause of our disasters in not supplying the Army and victualing our fortified posts. This argument is unfortunately too true, and cannot be met by a denial. They swear by all they hold sacred that they will die at home before they will ever be dragged forth again to do battle for such a cause. In a word, if one-tenth part of the information lodged with me be reliable, and I do not believe that it is exaggerated in the smallest particular, there is a most lamentable and fearful condition of affairs in the mountains of Greenville, Pickens, and Spartanburg. Their chief points of rendezvous in Pickens are the mouth of Brass Town Creek, on Tugaloo, the passes west and northwest of Tunnel Hill, Cheohee, bordering the Jocassee Valley, and Table Rock. Almost every intermediate pass and valley, however, is occupied by a deserter's cabin, who on the approach of a stranger flies to the rocks and ravines where, taking his perch, he sees and observes all that is going on, safe from the eye of his pursuer (if pursued) until a call or halloo from wife or child assures him of safety. In Greenville their chief points are at Cæsar's Head, Potts' Cove, Solomon's Jaws, Turnpike, Saluda Gap, on the headwaters of the Tyger, Howard's Gap, and Hog-back Mountain, as well as all intermediate points. In Spartanburg they seem to have no special rendezvous in the mountains, but occupy their farm-houses in the valleys and on the hills, and by a well-arranged system of signals give warning of the approach of danger. On an island in Broad River, just where Spartanburg and Union unite, contiguous to York, it is alleged that some [*sic*] or more occupy it each night. The island can only be approached in bateaux and flats, and common rumor asserts that this party is fortifying the same. This I can scarce believe, and have no authentic information on the subject.

I have had no means or resources at my command to encounter, overcome, and suppress this condition of things. No personal influences can or will have any effect. I have not been able to mount and put in service a single wounded or disabled soldier to arrest these parties except the few recommended for detail to your headquarters who furnish their own transportation (horses) free of charge. Hiring a horse is next thing to impossible, and utterly so at less than from $5 to $7 per diem. The demon of gain and the love of filthy lucre has seized the hearts and souls of our people, until like an atmosphere it permeates everybody, everthing, and every place.

I honestly and conscientiously believe if the tramp of the enemy's cavalry were heard in every farm-yard throughout the land, in every tan-yard, shoe shop, mill, cotton factory, wool-carding machine, store yard, salt depot, and slaughter pen, and they were to come with purses in their hands instead of drawn swords and loaded weapons, they could and would command whatever they wanted (but from a few self-sacrificing persons), provided they would pay the prices demanded and be permitted to depart without harm or molestation.

In view of this alarming condition of affairs here I have commenced and shall continue to detail from amongst the conscripts between forty and forty-five years of age, recently called for by the President, a number of men in each enrolling district, of the most determined and fearless character, who will mount themselves sufficient to meet the exigency; and I have strong hopes of securing or at

least driving from their hiding-places the whole body of deserters now prowling and skulking within the borders of this command. I shall not be able to put this force to work (unless it be a few individuals) earlier than the 20th of August, instant, or the 1st of September, the period fixed by order for them to report for duty as volunteers or conscripts.

I should have stated in the foregoing part of this report that several bands of deserters work on their farms together, traverse the country with traveling thrashing machines, and congregate at still-yards and houses where quantities of liquor are distilled by them, and swear vengeance against any one who approaches with the intention of molesting them. The true and loyal citizens are afraid to turn out and aid the officers, as not only their lives, but the destruction of their homes and property is boldly threatened if they dare to give aid and assistance to the authorities in arresting them and punishing these offenders.

See Sergt. J. P. Pool's report accompanying this.*

Respectfully submitted.

JNO. D. ASHMORE,
Maj. and Chief Enrolling Officer, Fifth Cong. Dist. of S. C.

[Sub-inclosure No. 2.]

HEADQUARTERS CHIEF ENROLLING OFFICE,
FIFTH CONGRESSIONAL DISTRICT OF SOUTH CAROLINA,
Greenville, S. C., August 16, 1863.

[Maj. C. D. MELTON:]

MAJOR: Lieutenant Elliott and Sergeant Pool report that they were twice fired on last week in the mountains of Greenville while quietly riding in the road engaged in a reconnoitering expedition to ascertain the whereabouts of certain bands of deserters. They further report that a heavy log building northeast of Greenville Court-House, located in the vicinity of Gowensville, has been loop-holed and prepared for defense. Serious depredations upon the property of loyal citizens have been perpetrated within the last few days by prowling bands of deserters who are constantly on the increase. A number have arrived this last week from the Twenty-second South Carolina Regiment, who have walked across the country from Augusta.

I have ordered Captain Hawthorne to make a requisition on you for powder, shot, and buckshot and to report at these headquarters to take command of a detachment of conscripts which I am now engaged in detailing and getting ready to suppress this lawlessness and secure the deserters. You will please furnish him some forty or fifty rounds of the same for double-barreled shotguns to the number of forty. Nothing but prompt and determined action can save us from ruin in the mountains of Pickens, Greenville, and Spartanburg. I have ordered Captain Hawthorne to bring a swivel or 6-pounder to demolish a block-house. There is nothing left for us now but a determined front and to fight it out. By demolishing this building we may save the effusion of blood and so alarm these lawless men as to drive them out of the country and back to their duty. I deeply deprecate the necessity, but there is no alternative.

I am, with great respect, &c.,

JNO. D. ASHMORE,
Maj. and Chief Enrolling Officer, Fifth Cong. Dist. of S. C.

* Not found.

[Sub-inclosure No. 3.]

HEADQUARTERS CHIEF ENROLLING OFFICE,
FIFTH CONGRESSIONAL DISTRICT OF SOUTH CAROLINA,
Greenville, S. C., August 17, 1863.

[Maj. C. D. MELTON:]

MAJOR: I fortunately met Captain Hawthorne and Captain Southern here this morning. I have advised the former to report to you in Columbia to-morrow and make requisition for powder, shot, &c., to break up the bands of deserters in this district, who are committing serious depredations and threatening the citizens with violence, and with bringing in the enemy's forces to invade us. Captain S. accompanies him at my request, and can give you a fearful account of the actual condition of things in our mountains. They cannot well be exaggerated, and our whole people are asleep to the dangers that surround them. On yesterday I prepared the papers that he will present you. On this morning three additional reports of depredations and threatened violence of a most aggravated character are brought me. I am powerless and helpless to control it. I find that the conscripts are nearly all afraid to engage in the service to arrest them, as the torch and knife is freely threatened by these reckless and lawless men, if they do. I think and respectfully urge that you place a detachment of men under the command of Captain Hawthorne taken from a distance. If something is not done, and that speedily, we are given over to the control of lawlessness and crime. Nothing but severe remedies can control the disease. The numbers of deserters are increasing daily. Just across the line of Greenville, in Spartanburg, on Saturday night, a Mr. Wright's house was burned to the ground, as it is alleged, by deserters. Another rendezvous, near Lester's factory, about twelve miles south of east from this place, has been established, and Mr. Lester informs me to-day that they have threatened to burn him up. I repeat, major, that nothing but severe measures will do now. We must meet force by force. At this last rendezvous they are said to be thirty strong. Captain Southern informs me that they have elected officers and are regularly organized in the mountains, where every woman and child is a watch and guard for them. The sound of one horn is answered by a dozen, which warns them of approach. I earnestly urge that Hawthorne be supplied with all that is necessary, and that he may report here for duty by the evening of the 20th instant.

I am, with great respect, &c.,

JNO. D. ASHMORE,
Maj. and Chief Enrolling Officer, Fifth Cong. Dist. of S. C.

HEADQUARTERS,
Morton, Miss., August 30, 1863.

Brigadier-General PILLOW,
Superintendent of Conscripts, &c.:

SIR: After carefully reading your letter to General Cooper General Johnston concludes that there is no necessity for forwarding it. Of the four points on which you request orders General Johnston has control of the latter three and can issue the orders you request. In relation to the first point there are too few cases under it to require a final application to the War Department about it. The desertions

from infantry to cavalry can be corrected by the enforcement of existing orders by commanders in the field. The statements contained in your letter on this head are too general for action. If you will be more specific and give information where deserters are to be found proper orders will be at once issued.

Your communication to General Cooper is respectfully returned.

By command of General Johnston:

BENJ. S. EWELL,
Assistant Adjutant-General.

[Inclosure.]

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
DEPT. OF TENNESSEE, ALABAMA, AND MISSISSIPPI,
Columbus, Miss., August 28, 1863.

General S. COOPER,
Adjutant and Inspector General Confederate States:

You are aware of the fact that for the present we have lost the population of Tennessee and large portions of Mississippi for building up our armies. Thus curtailed in our territory and population, we must gather in hand all the men which it is possible to put into the service to fill up our reduced infantry regiments. The late call for troops for local defense and special service has brought out large numbers of cavalry organizations—two-thirds of which I think are conscripts. Then, again, I meet with bodies of cavalry partly raised under authority of the Secretary of War, granted last winter and spring, in different parts of the country. All these organizations and parts of organizations absorb the conscript population and decrease the sources of supply from which we must draw to fill up the old regiments. In addition to this loss of men, the fact of the existence of such cavalry organizations in all parts of the country where there were men to be found (that service being universally preferred) keeps alive the aversion to the infantry service, and is a serious obstacle to all successful efforts to increase the infantry arm of the service. The embarrassment arising from these causes is one of much greater magnitude than the Government supposes. It is only when brought into practical conflict with these influences, existing far and wide in this conscript department, that they can be seen and felt. Indeed it is the chief obstacle in my way to successful effort in building up the infantry. In all the organizations under the late call for troops for local defense I have not heard of a single infantry company being formed. It is almost impossible to get the conscripts out of these organizations. These troops are strongly opposed to it. The officers throw all the obstacles in the way they can, and the State executive officers naturally sympathize with both.

Again, desertion of the infantry to join the cavalry service is an evil of such magnitude as to demoralize the infantry and endanger its very existence. I think that fully two-thirds of the commands of Generals Roddey and Chalmers are composed of deserters from the infantry. In one case a captain of General Johnston's army with nearly his whole company have abandoned that army and gone into Roddey's command, and he and nearly all his company are now with Roddey. The men of General Bragg's army and General Johnston's are constantly sloughing off, going to their homes, and after staying there a few days are joining the cavalry. If the evil is not cured the cavalry will swallow up the infantry arm of the service. Nothing but the most stringent orders of the Government will put a stop to this

evil. I have in vain recently and formerly tried to get these men back. I have no right to give any orders to those cavalry commanders. The representations of those evils that I make have failed to bring out these men. The twentieth paragraph of Regulations is explicit enough, but I have no means of following up these deserters in large cavalry commands to bring them out. To correct all these evils and existing sources of embarrassment I respectfully suggest for the consideration of the Department the necessity of the following orders:

First. To revoke all authority heretofore granted to raise cavalry commands not yet organized, except from within the enemy's lines.

Second. To prohibit the existing cavalry organizations from receiving conscript recruits for ninety days.

Third. To allow me to exercise my judgment to take out of existing local organizations of cavalry the conscripts, or to receive the existing organizations, including conscripts and non-conscripts, for the war.

Fourth. A positive order requiring cavalry commanders to call for company reports designating all men belonging to infantry commands, and to restore to the infantry arm all deserters from the infantry arm, except those who have come from within the enemy's lines.

Orders upon these points would greatly aid the effort to build and keep up the infantry.

The position I occupy as superintendent of the conscript and volunteer bureau of this department makes me responsible to the Government and country for the success of its efforts to build up our armies. This being so, is it not proper for me to control the influences which mar my success and the elements of strength which must be brought into action in strengthening our armies? I therefore ask that in addition to the orders above suggested you will give me control over the whole subject of organization, subject to the commanders of these departments or of the War Department. If I do not wisely exercise the discretion, it is easy for you to suspend the authority or to displace me. I do not desire the position I am in. The service is most distasteful to my feelings. I want to be in the field; but if I cannot get a command, and am required to occupy my present position, remove the obstacles to my success which I point out and sustain me with your confidence, and I am willing to be responsible to the Government for success. Otherwise, success could hardly be expected. I am persuaded, sir, that you will perceive the justness of this position and will grant this application, and I ask an order to that effect.

Presenting these views to Major Spann, who has authority to raise a regiment of cavalry, and he being satisfied with their correctness, he promptly determined to abandon the effort, although he had several companies organized, and with unselfish patriotism proposed to visit Richmond with this dispatch and to explain these views more fully to you. Major Spann's visit to me was official, for the purpose of obtaining authority to prevent my officers from interfering with the completion of his organization. I declined to do so, and have convinced his judgment of the propriety of the views I have herein submitted.

Very respectfully, your obedient servant,

GID. J. PILLOW,

Brigadier-General, C. S. Army,

Supt. Department of Tennessee, Alabama, and Mississippi.

Respectfully submitted for consideration of General Johnston, and through him to Secretary of War.

GID. J. PILLOW,
Brigadier-General, C. S. Army.

[AUGUST 30, 1863.—For Smith to Magruder, in relation to a proposition of Colonel Sulakowski to raise troops in Europe for the Confederate service, see Series I, Vol. XXVI, Part II, p. 189.]

GENERAL ORDERS, No. 116. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, August 31, 1863.*

I. Generals or other officers commanding departments, armies in the field, posts, or garrisons will cause all deserters, stragglers, or other absentees from duty, and all persons liable to military service found within their lines and not belonging to their command, to be forthwith arrested and turned over to the nearest enrolling officer, whose duty it shall be to forward such absentees to their proper command, or, in case of conscripts, to assign them to service in the army nearest to his post, according to his discretion.

II. Under instructions from the Bureau of Conscription an enrolling officer will be attached to each military department to carry out the purposes indicated in paragraph I.

III. Overseers entitled to exemption will be exempted from military service for one year, when the owner of the slaves of whom the overseer has had charge shall present to the enrolling officer the receipt of a quartermaster for the amount of the tax imposed in such cases by the act of Congress approved May 1, 1863. Officers of the Quartermaster's Department are directed to receive and receipt for money thus paid.

By order:

S. COOPER,
Adjutant and Inspector General.

RICHMOND, *August 31, 1863.*

Governor J. E. BROWN,
Milledgeville, Ga.:

We are advised that a formidable force of the enemy is advancing on East Tennessee. Cannot the local troops organized by you be thrown to aid?

J. A. SEDDON,
Secretary of War.

[AUGUST 31, 1863.—For Smith's order in relation to the enrollment of troops in Texas, see Series I, Vol. XXVI, Part II, p. 194.]

GENERAL ORDERS, No. 118. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, September 1, 1863.*

I. All officers of the Quartermaster's Department serving at posts or depots will report immediately to the Quartermaster-General their

location, the character of the duties discharged by them, and by whose order they were so assigned.

II. The principal quartermaster at each post or depot will likewise report the names of all quartermasters serving thereat. He will also examine carefully into the occupation of each officer, and will designate such as can be spared for service elsewhere.

III. The chief quartermaster of each separate army will forward to the Quartermaster-General, at the earliest practicable day, a complete list of all his subordinates, stating specifically the regiment, brigade, division, or corps to which each may be attached, or when engaged on special duty, the character thereof.

By order:

S. COOPER,
Adjutant and Inspector General.

NITER AND MINING BUREAU,
Selma Office, September 1, 1863.

The great difficulty in procuring coal for the use of the service has induced me to order the following report from the engineer attached to the Bureau to be printed. It is respectfully submitted for the consideration of ordnance and other officers in charge of arsenals and foundries:

CONFEDERATE STATES OF AMERICA, NITER AND MINING BUREAU,
Selma, Ala., August 24, 1863.

WILLIAM RICHARDSON HUNT,
Major, &c., in charge of Iron and Mining of Alabama, Georgia, Tennessee, and South Carolina:

MAJOR: In reply to your communication stating the general complaint of iron founders "that most of the pig metal furnished ordnance depots upon requisition is so hard as to be unfit for foundry purposes," I beg to state the following facts bearing upon the production of pig metal in the blast furnace, and upon the process of remelting it in the cupola:

It is admitted by all conversant with the subject that crude or pig metal is soft in proportion to the quantity of carbon combined with it. This is true, provided that other substances, not unfrequently found in the ore, and having so strong an affinity for the metal as to resist the action of the blast furnace, do not remain combined with it and counteract or neutralize the effect of the carbon. When this occurs to such a degree as to cause the iron to be uniformly "white," it is unfit for foundry purposes; but there is no furnace in the district under your charge using ore so marked in this respect as to be condemned.

The generally accepted evidence and test of the degree of carbonization of pig metal is in the size of the crystal, as exhibited in the fracture, in connection with the depth of color known as "gray." In general terms, the larger the crystal and the darker the shade of color the softer will be the metal. The type of this class of metals is the "Scotch pig," so highly prized not from any innate quality, or that intrinsically it is a superior metal, but that its excess of carbon admits of its mixture with metals that, used alone, would baffle the skill of the founder and resist the hardest steel. In fact, it is a fixed measure of carbon, by which the skillful founder regulates all his operations.

In the reduction of iron ore in the blast furnace the degree of carbonization of the metal, other things being equal, is in exact ratio to the mechanical division of the ore and the time its particles remain in atomic contact with the coal while at a comparatively low temperature. Subsequently, however, a large proportion of the carbon absorbed in the upper part of the furnace may be, and frequently is, subtracted in the lower part, unless the fluid or semi-fluid metal be protected from contact with the oxygen of the blast by sufficient fluid cinder. Nor is the metal safe in ignorant hands even after it has reached this point. It may be materially injured in the "pig-bed" by excess of moisture in the sand, even should it not be so wet as to cause a "boil," and still more by that pernicious practice of many

furnace men, the rapid cooling of the pig with water, and then "racking" them so as to expose their entire surface to the atmosphere while at a bright-red heat. The subtraction of the carbon is evidenced by the thin enamel of white iron surrounding the pig, and the rapid cooling by the smallness of the crystals, caused by the agitation of the mass so long as it remains sufficiently fluid to admit of position among its particles. If the fracture shows a dull or "dead-gray," notwithstanding the crystals may be small, it is still a soft iron, as may be proven with a chisel or file. If I may be allowed the expression, it appears in a measure to have lost its hold upon or affinity for the carbon, without actually parting with it, and when metal thus treated is run through the cupola in the ordinary manner, it comes out hard; but with proper treatment it may be made not only to retain its original carbon, but to take up more, and consequently to become softer.

I will explain: Ordinarily the cupola is heated; then charges of coal and iron are put in alternately until it is filled, and a full, strong blast is put on very shortly after. Founders not unfrequently boast of the short time in which they can "bring down the iron" after they begin to charge. The result is that the change of temperature is very sudden, the metal flows in a melted state from high up in the cupola down through the mass, in small streams or globules, and, not having the cinder to protect it from the action of the blast, as it has in the blast furnace, the excess of oxygen seizes the carbon of the iron, and it actually consumes or burns up, while any sulphur or other degenerating substances in the coal combines with the iron.

If rather a full bed of coke or charcoal be placed in the cupola after the ordinary preliminary of drying and heating, and the charges thereafter follow regularly, but rather more slowly, than is the usual practice—the object being not to smother the fire—barely sufficient air being admitted at the top hole and tuyères meanwhile to ignite the mass, and it be allowed to remain in this condition for several hours, the metal not only undergoes a process of annealing, but one somewhat analogous to "cementation." It will take up or absorb carbon from the coal, while if the fuel used contains sulphur it will be expelled.

The blast should be soft and diffused, barely sufficient to bring down the metal as drawn into the ladle—it will come down too fast under a strong blast—and from pig ordinarily too hard for foundry purposes used by itself, sound, sharp, soft castings may be made.

There appears to be an opinion prevailing among iron founders that charcoal cannot be used advantageously in the cupola, and I have even heard the assertion that its successful application was impossible. It is not generally known that charcoal was the fuel first used for this purpose, that in many countries it alone is still used, and that where stone coal and coke have superseded it, it was simply as a measure of economy. The first cost was less, they require less skillful manipulation, and the melting capacity of the cupola was increased. To these were sacrificed the quality of the iron, for the reason that with an unobstructed market "Scotch pig" could always be obtained at comparatively a small advance upon the cost of other metal, and with this at hand the required amount of carbon lacking in other stock could be supplied at will.

Under the existing state of affairs the supply of No. 1 pig metal is so limited, and will not be increased until ironmasters become better acquainted with furnace operations, and more deeply impressed with the advantage, as well as importance, of a more perfect and thorough preparation of their "stock," that iron-founders will be compelled to resort to the process above indicated. In fact, it is probable that the supply of stone coal, and consequently of coke, will be so reduced, or required for rolling-mills, that the use of charcoal for foundry purposes will become an absolute necessity.

To produce the best results with this fuel, the cupola should be from one-fourth to one-third higher than those generally in use for coke. The advantage of the softness of the blast has been sufficiently dwelt upon, but I will add that the quantity of air required is simply enough to support combustion to a degree that will raise the temperature just above the tuyères to the melting point of iron. Any excess will harden the metal, cut the charcoal away, bring the charges down too rapidly, and require a larger quantity of coal to sustain the burden. Three, four, or more tuyères are better than one or two, and they should be large and so directed as to distribute the blast as perfectly as possible, and as low in the cupola as admissable without encroaching upon the hearth.

My opinion is that it is not advisable under any circumstances to retain the metal in the cupola after it is melted. When a large quantity is required for a single casting, it is far preferable to draw it off, pour it into a suitable ladle, and protect its surface with braise, or fine charcoal, until it is let into the mold.

By giving the increased height to the cupola and charging as directed, from three to four hours in advance, but little longer time will be required to make a run, after the first tapping, than would be occupied with coke used in the ordinary way, and by giving that time, the same weight of metal may be brought down, not only without any difficulty, but improved in quality, instead of having deteriorated.

With thirty pounds of charcoal I have melted 100 pounds of Nos. 2 and 3 cold-blast iron, mixed in about equal proportions, in a cupola not specially adapted to the purpose; and, by way of experiment, have, with seventy pounds of coal, brought down the metal so highly carbonized that it deposited the carburet of iron, or the kish of the blast-furnace, in the ladles and about the runner of the molds and filled the air with its glistening particles.

Castings from iron thus surcharged with or having an excess of carbon will not be sound. The cohesive attraction between the particles of metal is impaired or destroyed, and there will be cavities throughout the entire piece, lined with crystalized carburet, and not unfrequently containing detached crystals, or lamina of the same substance.

Any degree of carbonization may be obtained, in a cupola of sufficient height, by varying the charge of coal, the time given to the annealing process, and by regulating the blast which controls the descent of the charges.

Respectfully submitted.

R. B. GORSUCH,
Engineer and Inspector of Mines and Furnaces, under Niter and Mining Bureau.

WM. RICHARDSON HUNT,
Major of Artillery, in Charge of Iron and Mining of Alabama, Georgia, Tennessee, and South Carolina.

AUGUSTA, GA., *September 1, 1863.*

Hon. J. A. SEDDON:

They could not be compelled to go out of the State, but I believe many of them would go if they had arms. They are generally without arms. If you will have 5,000 guns sent to me at Atlanta I will order transportation and supplies to such as respond to my call. I think I can get the men. They will consist of regiments, battalions, and companies. Who shall command them? Shall I assign them a commanding general for the time, or do you claim that as a right? Send reply to this place.

J. E. BROWN,
Governor.

[First indorsement.]

SEPTEMBER 2, 1863.

Respectfully submitted for the information of the President. I should be pleased to receive instructions on the subject of the officers.

J. A. SEDDON,
Secretary of War.

[Second indorsement.]

The question depends on the character of the troops. If militia, I have no power to appoint the commander or other officers; if troops of the Confederate States, I have no power to delegate the appointing power.

JEFF'N DAVIS.

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., September 1, 1863.

Maj. A. H. McLAWS,
Inspecting Officer for Georgia:

SIR: You will proceed, upon conference with the commandant of conscripts for the State of Georgia, to make such partial inspections regarding the business of conscription in the State as have been orally indicated. The necessary journeys from point to point to execute your instructions will be made by you without further orders. You have the authority of this Bureau to revoke the short assignments or suspend the appointment of incompetent, inefficient, or physically disabled persons now on enrolling duty, making in every case a full report of your action and the reasons therefor. Such persons, if members of regiments, will be ordered to report to their military commanders in person or by letter, as their health may admit, and you will inform the commanders accordingly. If officers appointed on enrolling service are found incompetent, the revocation of their appointment will be suggested for the final action of the War Department. The necessary selections or recommendations to replace those removed or to fill vacancies will be made by you on consultation with the commandant for the State, and preferably by the assignment of wounded or disabled officers and soldiers, other things being equal. Conscripts may be detailed if necessary. If you find persons not liable to service with qualifications specially adapted to this duty, you will recommend their appointment, giving full information as to their fitness. It is not desirable to increase commissions outside the service. Your attention is specially directed to the condition of the organization in the various districts and counties, and you will use your endeavors to complete such organization whenever defective, both as to medical boards of examination and enrolling officers. You will put yourself in communication with His Excellency the Governor of the State and Major Lee, now raising a force for arresting deserters, to be employed under the command of this Bureau, inviting their co-operation in the execution of your instructions whenever their aid may be requisite. You will report through the commandant for the State to this Bureau by letter as occasion may require, reporting in detail the condition of the service, how far the agencies of conscription are successful in securing for the Army all the conscript material of the State, and in the general execution of the law; how far the organization for the business of conscription is incomplete from an insufficiency of enrolling officers for the districts and counties, or the want of medical boards of examination, and suggesting appropriate remedies for such other defects as your inspections may bring to your notice. You will also see that the details granted under the various orders from the Adjutant and Inspector General's Office are not so employed as to be evasive and a refuge from active service in the field. Complaints are frequent that the details in the express companies and factories are excessive, and in many instances illegally granted. To this whole subject of details your attention is specially called. Any other abuses that may be brought to your notice will be duly reported.

Very respectfully, your obedient servant,

JNO. S. PRESTON,
Colonel and Superintendent.

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
DEPARTMENT OF ALABAMA AND MISSISSIPPI,
Columbus, Miss., September 1, 1863.

Col. BENJAMIN S. EWELL,
Assistant Adjutant-General:

The report of Captain Flemming of the condition of the country and demoralization of the population and the number of deserters who infest the coast having been laid before me and carefully considered in connection with the operations of this bureau, I feel it my duty to state that I have extended the organization of this bureau as far into that region as I consider it safe and prudent so to do. I have a rendezvous at Columbia and an outpost at Monticello, on Pearl River, and with his knowledge of the country he says I have gone as far as it is safe to do in that direction with a "post." His estimate is that there are from 3,000 to 5,000 men in that region, of whom he thinks 500 are deserters. The only means of reaching those men and of breaking up the demoralizing trade which they are carrying on with the enemy would be to direct Colonel Logan with his command of cavalry to move as if on a reconnaissance down upon the coast; being there, to spread over the country and move out east, sweeping and bringing out all that he can gather. He would probably in this way bring out from 300 to 500 deserters and conscripts who ought to be brought to the railroad and turned over to the army, or be sent to the army of General Bragg.

The cavalry force (two regiments) originally ordered to my support were so reduced in numbers as to constitute a very inadequate supporting force for so extended an organization. I have one company of it at Columbia and one at Monticello. These companies number only about forty men; they cannot leave their posts for so distant service and if they could they would, united, be entirely too weak for the movement. If General Johnston thinks proper to order the movement, I have given Captain Flemming orders to proceed with the command and to direct its route, &c. My organization is about complete. I could use to great benefit to the service additional officers. I have not received as many officers from General Johnston's army as the order should have brought me. Only 218 have reported, when according to the number of regiments and battalions in his army I ought to have received over 300. My organization would be more efficient with more officers. From what General Bragg said to me on the eve of my departure for this State I expected a larger detail from him than has come. However, in a very few days more, when the work shall have fairly begun, the men will pour into General Johnston's army in great numbers. I learn already that the trains are going down pretty well crowded. Many men will run back into the army to escape arrest by my officers.

I am satisfied that there will be much confusion at Meridian, and many escape unless a distributing office is established there and a regiment put on duty to receive and distribute those sent forward without admixture with the crowd at depot.

Very respectfully, your obedient servant,

GID. J. PILLOW,
Brig. Gen., C. S. Army, Supt. Volunteer and Conscript Bureau.

One rendezvous reports as the work of six days 114 men returned to the army.

[SEPTEMBER 1, 1863.—For Magruder's call upon Texans to organize in view of impending danger, see Series I, Vol. XXVI, Part II, p. 198.]

MORTON, *September 2, 1863.*

General S. COOPER,
Richmond:

There are several bodies of troops in the northern part of the State which were called out by the Governor. They have never been mustered into C. S. service, and their status is uncertain, in consequence of which they are inefficient. I suggest that they be immediately reorganized under Confederate law and taken into Confederate service. Many companies are in process of formation under authority from Richmond; they remain in process of formation and harbor deserters and others avoiding military service. I earnestly suggest that such authorities be withdrawn.

J. E. JOHNSTON.

OFFICE OF INSPECTOR OF CONSCRIPTION,
Salisbury, N. C., September 2, 1863.

Col. J. S. PRESTON,
Superintendent of Conscription:

SIR: When the conscript service was organized the direction that among its duties should be embraced that of collecting and forwarding deserters and skulkers by the use of force was doubtless based on the supposition that such characters would be found lurking about singly, unarmed, acting in no concert, and supported by no local public opinion or party. Even for such work our means at command have been inadequate in many parts of the country, and whatever auxiliary force time may prove to be available under the special efforts indicated in my letter of July —, approved and adopted by the War Department, cannot be expected to accomplish more than to meet the condition of things above described.

The utter inadequacy now of any force that we can command without potential aid from armies in the field will become apparent when it is realized that desertion has assumed (in some regions, especially the central and western portions of this State) a very different and more formidable shape and development than could have been anticipated. It is difficult to arrive at any exact statistics on the subject. The unquestionable facts are these: Deserters now leave the Army with arms and ammunition in hand. They act in concert to force by superior numbers a passage against bridge or ferry guards, if such are encountered. Arriving at their selected localities of refuge, they organize in bands variously estimated at from fifty up to hundreds at various points. These estimates are perhaps exaggerated in some cases. The patrols sent out from the conscript guard and bringing back a few prisoners each report that they have only captured these by surprise, and have been compelled to make good their retreat in returning by circuitous routes to avoid arrangements made to intercept them by superior force. His Excellency Governor Vance credits official information received by him, that in Cherokee County a large body of deserters (with whom I class also those in resistance to conscription) have assumed a sort of military occupation, taking a town, and that in Wilkes County they are organized, drilling regularly, and

intrenched in a camp to the number of 500. Indeed, the whole number of deserters in the latter county is said to be much larger. The reports of our patrols indicate 300 or 400 organized in Randolph County, and they are said to be in large numbers in Catawba and Yadkin, and not a few in the patriotic county of Iredell. These men are not only determined to kill in avoiding apprehension (having just put to death yet another of our enrolling officers), but their esprit de corps extends to killing in revenge as well as in prevention of the capture of each other. So far they seem to have had no trouble for subsistence. While the disaffected feed them from sympathy, the loyal do so from fear. The latter class (and the militia) are afraid to aid the conscript service lest they draw revenge upon themselves and their property.

The present quiet of such lawless characters of course cannot be expected to continue, and the people look for a reign of marauding and terror, protection against which is loudly called for. Letters are being sent to the Army stimulating desertion and inviting the men home, promising them aid and comforts. County meetings are declaring in the same spirit and to hold back conscripts. As desertion spreads and enjoys impunity, in the same proportion do the enrolled conscripts hang back from reporting where there is not force enough to compel them, and the more dangerous and difficult becomes the position of our enrolling officers. All this trouble is of very rapid, recent growth, and is intimately connected with—indeed, mainly originates in and has been fostered by—the newly developed but active intrigues of political malcontents, having the Raleigh Standard for their leader, and, it is said, a majority in the capital itself. The resolutions of the several county meetings, central and western, have evidently issued from the same mint, the common stamp being that North Carolina has not received due justice or credit, that she has done more than her share, and that her people ought to contribute no further. I allude to the political aspect only to show that there is danger of marked political division and something like civil war if the military evils reported be not at once met by strong measures of military repression. Such appears the calm opinion, without panic, of loyal and substantial men, and such are my own impressions from observation. They all think the evil is spreading, and such are likely to find themselves in a bad position in some regions—for the balance of physical force is on the wrong side, the loyal having contributed most freely to the Army, even their sons still in early boyhood and not liable to serve. So far it does not appear that men of political weight have come forward publicly to any great extent to meet the intriguing demagogues on their own arena and prevent the ignorant masses from following their lead in ovine style. A reference to the faithful reports of Colonel Mallett, the vigilant State commander of conscripts, will show that he has been anticipating such evils, though their rapid increase has surpassed expectation.

In considering the remedies to be applied but two appear feasible of sufficient promptness to be effective—the one consisting of detachments of troops by the nearest local commanders, the other in like detachments from the larger armies depleted by desertion and demanding re-enforcement.

The nearest local commanders on whom I have the authority of the Secretary of War to call for aid are General Whiting (whose troops are mainly about Weldon and Wilmington, at a great distance for detach-

ment to the districts where most needed) and Major-General Buckner, if he be still posted near the western frontier of this State. To the former general I have written that, learning how largely he has detached to Charleston, I did not suppose it feasible now to procure any force from him, but urgently requested him to aid the conscript service by designating a military commandant to take post at Raleigh, and recommended that our present State commandant of conscripts be clothed with the additional authority. To General Buckner I will write a representation of the state of things as soon as I can procure official and authentic information after arriving at Morganton or Asheville. I have conversed with Governor Vance as commander of the militia and home guards organized by State legislation. Of the first class of force he remarked that it had been practically well-nigh absorbed by the new levy, and at all events he did not consider it well adapted for the sort of work now demanded. In regard to the second, he stated that its organization had proceeded slowly, and that what had been accomplished was in counties other than those where the service in question is required. Hence, I have received from him the impression that although he is earnest in the purpose of aid, he does not expect to be able to furnish it to any great extent yet awhile. I hope to meet His Excellency again at Asheville. The State Legislature has passed a law against harboring deserters, which may help us somewhat, though doubt is expressed if its terms are broad enough for practical effect. I will communicate it hereafter. Your attention is invited to the inclosed proclamation* addressed to the public at large by Colonel Mallett at my instance. He had already instructed his subordinates in a like sense. All other details of our efforts to invigorate the conscript service here I reserve for a future report. Assuming that it is of vital import to crush out without the least delay the evils I have described as threatening to develop indefinitely, I am led by the foregoing exhaustive discussion to tender boldly, though reluctantly, an unpalatable conclusion. It is that the sort of success demanded by the crisis can only be attained by a prompt detachment of effective force (say two or three selected regiments of fidelity) from the main army which suffers most from desertion and evasion of service, and which it is to be hoped can best spare the remedial agencies. Such a force should proceed to occupy the infected districts, surround the traitors, bring the disloyal to punishment, fortify the loyal, and decide the wavering. The adoption of this plan, if practicable, may be rendered more palatable by the reflection that its rejection will probably involve a loss of numbers at least equal to those proposed to be detached under a system which would secure not only their own return, but that of large re-enforcements in, say, probably five or six weeks.

I am, sir, very respectfully, your obedient servant,

GEO. W. LAY,
Lieutenant-Colonel and Inspector.

P. S.—I have advised Colonel Mallett not to send away for the present any conscripts whose fidelity may be trusted for the home service.

*Not found.

[First indorsement.]

BUREAU OF CONSCRIPTION,
Richmond, Va., September 7, 1863.

Respectfully referred to the War Department for information. Please order the paper returned.

JNO. S. PRESTON,
Colonel and Superintendent.

[Second indorsement.]

SECRETARY OF WAR:

The condition of things in the mountain districts of North Carolina, South Carolina, Georgia, and Alabama menaces the existence of the Confederacy as fatally as either of the armies of the United States. This report does not state the danger as so imminent as it has been stated in a number of letters that have been received at this Department.

Respectfully submitted.

J. A. CAMPBELL,
Assistant Secretary of War.

[Third indorsement.]

SEPTEMBER 8, 1863.

Respectfully submitted for the information of the President.

J. A. SEDDON,
Secretary of War.

[Fourth indorsement.]

SECRETARY OF WAR:

The orders to Brigadier-General Hoke anticipate the proposed remedy.* It might be advantageous to correspond with Governor Vance and inform him of the traitorous efforts made to induce desertion and the agents at work to effect it.

J. D.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 117. } *Richmond, September 3, 1863.*

I. In any case where the exigencies of the Army compel impressment or purchase for its use of the whole of any one article, or all articles of the planter's production, taxed in kind, the post quartermaster of the district will transfer to his district collector the assessor's estimate, to be collected in the money value only, at the rate of purchase or impressment, as the case may be. Before making such transfer the post quartermaster of the district will credit the producer upon such estimates with the amount of such articles as he may have paid in kind, and indorse thereon the circumstances under which the transfer is made.

II. Controlling and post quartermasters of districts will keep and report their accounts relating to tax in kind separate and distinct from all others.

III. Producers are required to deliver the wheat, corn, oats, rye, buckwheat, rice, peas, beans, cured hay and fodder, sugar, molasses of cane, wool, and tobacco, in such form and ordinary marketable condition as may be usual in the section in which they are deliv-

* In this connection, see Vance to Seddon, and indorsements thereon, Series I, Vol. XXIX, Part II, p. 676.

ered—cotton ginned and packed in some secure manner, tobacco stripped and packed in boxes.

IV. Where post quartermasters of districts intrust agents with disbursements, care must be taken that receipts and accounts be stated in the name of the post quartermaster.

V. Quartermasters and commissaries serving with troops may receive the tithe tax, when authorized to do so by the chief quartermaster or chief commissary of the army in which they are serving. The names of such authorized officers will be reported to the Quartermaster-General.

VI. Where producers offer to pay their tithe tax to officers authorized to receive it, it is obligatory upon the latter to receive the produce, and to pay the excess of transportation over eight miles at the rates prescribed by State commissioners under the impressment act. In each case they will receipt to the post quartermaster of the district for the produce. Upon this receipt the receiving officer will be responsible for the quantity which he will take up on his property return. The receipt given to the producer will only be evidence that so much of his tax is paid. In all such receipts the name of the producer and his county will be stated.

By order:

S. COOPER,
Adjutant and Inspector General.

EXECUTIVE DEPARTMENT, NORTH CAROLINA,
Raleigh, September 3, 1863.

Hon. J. A. SEDDON:

MY DEAR SIR: When at Richmond a great portion of my complaint to President Davis was the presence of such a number of Virginians and Marylanders in our State filling the offices which were local and permanent in their character. Each one of these officers has with him a brood of his own countrymen avoiding conscription and making themselves generally very obnoxious to our people. The President promised readily to have them removed, and asked me for their names. I gave him the names of five or six of those who were most obnoxious, among them that of a Dr. Covey, medical director in this city, and Captain McCoy at Salisbury, who had resisted the civil authorities and otherwise outraged the feelings of our people. Neither those men nor any others have been disturbed, and I infer from recent proceedings that it is expected of me to prefer charges against them. This I shall of course decline to do. I don't desire the punishment of these men (though some of them deserve expulsion from the service), but only ask that they be removed and natives of the State put in their places. Is this unreasonable? At a time when I am striving with all my power to apologize for these appointments and to reconcile our people to the Administration, to be refused such a small concession to policy and good sense fills me with disgust. My dear sir, why is it done? Where so small a matter—and eminently proper one at that—would give satisfaction to a people, why not do it? I returned from Richmond with high hopes and a comparatively easy heart, and tried to satisfy the discontented by assuring them that there would henceforth be the most cordial understanding between the State and Confederate authorities, and that the President had promptly promised to remove all obnoxious officers from this State. Not one has been removed. If I have not sufficient influence with the President to

secure the removal of one man, even for reasons of policy, for God's sake let me know it. I get disheartened at being so often foiled in my efforts to do something to quiet discontent, and I pray you to have these things remedied if in your power.

Very respectfully, yours,

Z. B. VANCE.

[SEPTEMBER 4, 1863.—For Price's proclamation, calling upon the people of Pulaski County, Ark., to volunteer for the defense of Little Rock, under pain of arrest and compulsory service, see Series I, Vol. XXII, Part II, p. 991.]

RICHMOND, *September 4, 1863.*

Governor J. E. BROWN,
Augusta, Ga.:

Your telegram of the 1st submitted to the President. He replies: "If militia, I have no power to appoint the commander or other officers; if troops of the Confederate States, I have no power to delegate the appointing power." Arms will be sent to Atlanta, as desired.

J. A. SEDDON,
Secretary of War.

ADJT. AND INSP. GENERAL'S OFFICE, SOUTH CAROLINA,
Charleston, S. C., September 4, 1863.

His Excellency Governor M. L. BONHAM:

GOVERNOR: In compliance with your instructions I have the honor herewith to inclose a statement of the numbers of regiments, and their strength, which have been organized to meet the call of the President for 5,000 troops for local defense and special service in this State for the term of six months. It will be seen from this statement that four regiments have been organized, showing in the aggregate 4,178 men. Owing to the defective enrollment of troops in the Sixteenth Regiment South Carolina Militia, and a failure to organize the troops called for in that regiment into companies, the organization of the remaining regiment has not been completed.

Five of the companies have been organized and their rolls returned to this office. Orders have been issued for a new enrollment, which is now nearly completed, and within a week I hope to be able to issue orders in the organization of another regiment by the election of field officers. It is confidently expected that the requisition of the President will be fully met by these new levies.

I have the honor to be, very respectfully, your obedient servant,

A. C. GARLINGTON,
Adjutant and Inspector General of South Carolina.

[Inclosure.]

1st Regiment, Col. T. B. Roberts	1,002
2d Regiment, Col. William Fort	1,035
4th Regiment, Col. J. H. Witherspoon	1,045
5th Regiment, Col. J. H. Williams	1,096
Aggregate	4,178
Organized companies of 3d Regiment	483

A. C. GARLINGTON,
Adjutant and Inspector General, South Carolina.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., September 5, 1863.

Hon. C. G. MEMMINGER,
Secretary of the Treasury:

SIR: By letter just received from Maj. Gen. D. H. Maury, commanding at Mobile, I am requested to appoint some proper person, or authorize him to appoint a proper person, to receive some cotton and money of the Bank of Louisiana, seized recently at Montgomery. He also states that he had that day received information of large additional assets of the same bank, which he expected to secure. As these funds are appropriately to be handed over to and taken charge of by your Department, it seems to me expedient and right that some person should be appointed, or at least recommended, by you to receive and take care of the assets referred to. I prefer that the appointment should be made by yourself, and upon being apprised of the person selected will promptly give General Maury the information, with orders to turn over the assets to him.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

[SEPTEMBER 5, 1863.—For Smith to the people of Arkansas, Louisiana, and Texas, with regulations governing the formation of corps for defense, see Series I, Vol. XXII, Part II, pp. 995, 996.]

PROCLAMATION.

EXECUTIVE DEPARTMENT,
September 5, 1863.

TO THE ARMS-BEARING PEOPLE OF GEORGIA:

Thus far you have experienced but little of the horrors of war; and while you have been obliged to dispense with luxuries which you might have otherwise enjoyed, you have suffered comparatively little privation except the loss of friends on battle-fields in other States. Now a powerful army, commanded by one of the most unscrupulous of the generals of the enemy, is advancing upon your northwest border, threatening to violate your homes, lay waste your fields, destroy your cities, desecrate the graves of your fathers and the altars where you worship the living God. If the enemy is successful, you must flee from your native country, and as outcast paupers wander in foreign lands, or you must submit to tyranny with chains of oppression the most galling that ever were worn by an enlightened people. Let no one hope to escape by mean abandonment of our cause in the midst of our troubles or by swearing allegiance to a Government that has wantonly shed so much precious Southern blood and laid his friends and relatives cold in death. Our noble dead slain by the enemy would rebuke such dastardly conduct from their bloody graves. Let none hope to save their property by favoring a reconstruction of the old Union or by any reunion with our wicked and heartless invaders. All such dreams are worse than delusions. Three-quarters of a century of experience has proved that no covenant, agreement, or constitutional compact will bind the people of the Northern States as communities longer than it is their interest to observe the obligation. It would take all the property of the South to pay the immense war debt of the North and to

satisfy Yankee cupidity in possession of unrestrained power. Reconstruction is nothing but submission, and submission plunges us into the deepest degradation and the most abject poverty and misery. If there be any who favor such means to secure peace, let them remember the sentiment of the great Carolina statesman. It is the peace which the kite gives to the dove, the wolf to the lamb, Russia to Poland, and death to its victim. If we prefer to die free rather than slaves, we must put forth our full energies in this crisis of our fate.

Georgia has never failed to respond to every call made by the President for troops from the commencement of the war to the present day, and she has in every case when a call was made for volunteers tendered more than the number required. In response to the late call for 8,000 men for local defense, I shall have the gratification to tender to the President over 15,000, without counting the drafted men. The draft was only necessary in a few localities to compel each county to do its just part, when some had tendered three times the number required, and to compel a few men to enter service who could not otherwise be induced to do so. The result has been a triumphant vindication of the character and volunteer spirit of the State. There yet remain in our beloved State, including the organizations for home defense, over 40,000 men able to bear arms in an emergency. If but half this number will re-enforce the Confederate army now on our border, we can drive the enemy out of East Tennessee and free our State from threatened invasion.

Georgians, you who remain in this State owe this to the gallant men who have left their homes and gone to distant fields to meet the foe. You owe it to the orphans of the immortal dead who have lost their lives in your defense. You owe it to the noble women of Georgia, who, with hearts full of patriotism, have, by their untiring energy, clothed the naked and contributed millions of dollars to the support of our cause, and who, like guardian angels, have ministered to the comfort and soothed the agony of the sick and wounded of every State who in their passage over our territory have come within their reach. You owe it to your own wives and children, to the families of our soldiers now in the service in other States, and to unborn posterity. Will you not rise in your might and put forth all your manliness for this glorious consummation?

Having been asked by the authorities at Richmond to call out the Home Guards to assist in the emergency, I invite their attention to the accompanying order of the adjutant and inspector general of the State and direct that it be promptly obeyed.

Men of Georgia, who have stout hearts and strong arms, when you leave your farms and your merchandise to assist in driving the vandals from our borders, the remembrance of the fate of New Orleans, Nashville, and other places which have surrendered to the enemy must unalterably fix your determination that they shall not occupy Georgia territory and tyrannize over Georgia citizens, and must nerve your arms for the contest and impel you to strike for the preservation of your homes, the protection of your property, the purity of your wives and daughters, and the transmission of your liberties to the latest posterity. Dark clouds hang around us, and we are passing through a trying ordeal, but truth and justice are on our side; and if every man will put his trust in God and do his whole duty, our cause will triumph and we shall not only conquer a peace, but we shall establish constitutional liberty, without which our struggles will have been in vain.

JOSEPH E. BROWN.

GENERAL ORDERS, No. 24.

STATE OF GEORGIA,
ADJT. AND INSP. GENERAL'S OFFICE,
Atlanta, Ga., September 5, 1863.

In conformity to the foregoing proclamation of His Excellency the Governor of this State, I am directed to issue the following orders:

1. All volunteer organizations for home defense whose prescribed limits embrace Atlanta, or any part of the State between that point and the Tennessee River, are hereby ordered to report immediately, at either Kingston, on the State road, or at Atlanta, as may be most convenient, to the commanding officer of the C. S. Army at those points, except the Floyd County Legion, which is now in camp on special service, and the companies in Rabun, Habersham, Towns, Union, Fannin, White, Lumpkin, Gilmer, Walker, Chattooga, and Dade, which will await special orders, as their services are considered indispensable at their homes, holding themselves in readiness to obey orders at a moment's warning, and drilling twice a week until the present exigency is passed.

2. Every man who has a shotgun or rifle fit for use will bring it, and each man will bring with him either a blanket or other covering, and will leave home with provisions enough to carry him to the places of rendezvous named above, and to serve him one day after his arrival.

3. In counties where almost the entire population have volunteered, only a number as large as the quota required from the county will be called upon to respond to this order. More may come if they choose to do so, but those who remain will hold themselves in readiness to assist in repelling any raid that may approach their neighborhood. In these cases the commanding officers will collect the whole force and select from them for the present the most able-bodied soldiers of their command.

4. The remaining companies in the State whose boundaries of service do not embrace the upper portion of the State are invited to volunteer for this particular service, and other persons not members of the companies, who are able to bear arms, are invited to join them and aid in repelling the enemy. Under the law none of the home organizations can be compelled to go out of the State; but if asked to do so it is not doubted but that they will promptly volunteer to cross the line if they can better defend Georgia on Tennessee soil. Those who may volunteer to cross the line will lose none of their rights by so doing, and will be permitted to return as soon as the exigency shall permit.

5. Infantry companies will supply themselves with the best means of transportation they can procure to the nearest railroad depot, from which point they will be transported to the place of rendezvous, as is usual in such cases, on the certificate of the commanding officer. Cavalry will march by the most direct roads usually traveled.

6. The captain of each company is authorized to make details of such men who, in consideration of the public interests, and their efficiency in rendering service to the community, are most necessary at home; provided, that the number detailed to remain at home shall not exceed in any case one-sixth of the company.

7. Drafted men attached to companies will be required to go with them, unless prevented by bodily infirmity absolutely disqualifying them for a short term of service. Drafted men attached to companies who may refuse from any other cause to obey this order will be arrested by the commander of their company and compelled to serve.

8. Companies organized for the local defense of cities, factories, workshops, or iron-works will remain at their positions and drill twice a week, awaiting orders, as such points are most likely to be first attacked by the raids of the enemy. The companies at them will at all times hold themselves ready for action at the shortest notice.

9. Companies throughout the State not called into service by this order or volunteering under it will drill at least once a week. From this drill only ordinaries will be exempted on account of business in their offices which is necessary to the protection of the estates of deceased soldiers. They will be expected, however, to turn out when threatened by a raid in their vicinity.

10. While in service under this order both officers and men must expect to endure some hardships. The quartermaster's and commissary departments, however, will do all in their power for their comfort and health, and contribute as far as in them lies to make the service agreeable and pleasant. It would be well, though, for every man to look to his own probable wants as much as he can without needlessly burdening himself with baggage.

By order of the commander-in-chief:

HENRY C. WAYNE,
Adjutant and Inspector General.

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT, BUREAU OF CONSCRIPTION,
Richmond, Va., September 5, 1863.

In pursuance of instructions received at this Bureau from the Secretary of War, you will forthwith proceed to obtain correct returns of all persons detailed, employed, or engaged in the quartermaster, commissary, medical, and ordnance departments within your command.

You will also procure the return of all white males engaged in the service of railroad companies, express companies, telegraph companies, and Government contractors, with the age and office and duty of each.

In this report it is intended to include all officers and soldiers, stating whether disabled or not; all conscripts, and men liable to conscription, and men not liable to conscription. You will state with particularity the duty on which each man is employed, and make your report as distinct as possible, the object of the Secretary of War being to ascertain the number of persons thus employed, and to correct abuses. To this end, your remarks on the report are specially requested.

By command of Colonel Preston, superintendent:

P. N. PAGE,
Captain and Assistant Adjutant-General.

(To Commandants of Conscripts.)

QUARTERMASTER'S OFFICE,
San Antonio, Tex., September 6, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: On the 11th of March last I had the honor to address you a communication relative to my duties, from which I beg leave to resubmit the following extract:

> Quartermasters, commissaries, ordnance officers, and medical purveyors have made requisitions upon me for large amounts of stores to come from Mexico. I have none other than quartermaster's funds, and of these but $1,000,000 at first. * * * I do not feel authorized to make estimates upon the chiefs of the Army bureaus at Richmond, except upon the Quartermaster-General. I respectfully recommend, therefore, that you make, or cause to be made, a requisition on the Treasury for an amount that will cover the purchase of cotton and its transportation to the Rio Grande, to pay for the supplies to come from Mexico for the next six months, say for ordnance, commissary, and medical stores.

In another communication, of date June 8, I recalled this subject to your notice in the following language:

> I had hoped before this date to have been in receipt of a reply to my communication to you of the 11th of March. As yet, however, no reply has been received. * * * I trust it will not be overlooked by you that I am not only procuring all the quartermaster's supplies for this district to be drawn from abroad, but also, under General Magruder's Order No. 28, of February 22, all the subsistence, ordnance, hospital, and medical stores required to be obtained from the foreign market. For the stores I cannot estimate on those bureaus, having no official connection with them; nor upon the Quartermaster-General, because such supplies do not pertain to his service. Therefore in my communication to you of March 11 I requested you to require from those bureaus, and cause to be remitted to me, funds to cover the supplies obtained and ordered by me for their respective services. I trust this has been done to an adequate amount, say, $2,000,000.

I have received no reply to these applications, to which I again beg leave to solicit your attention. I have continued to supply cotton in large quantities to pay for purchases for these several branches of the service, paying for the cotton and transportation out of the quartermaster's funds. The necessities of the service and General Magruder's orders will no doubt justify this diversion of those funds, but of course it leaves me that much short of the means which should be applied to the service of the Quartermaster's Department. For the subsistence and service of Brigadier-General Bee's command upon the Rio Grande alone I have been and am furnishing 500 bales of cotton per month.

In the hope that you will cause my disbursements for these supplies to be refunded, I send by my agent, Judge C. Upson, my blank receipts, to be filled up and delivered by him for such amount as you may cause to be turned over to me on this account.

I have the honor, sir, to be your obedient servant,

S. HART,
Major and Quartermaster.

[SEPTEMBER 6, 1863.—For Bonham to Beauregard, in relation to the six-months' troops from South Carolina being ordered into the field, see Series I, Vol. LIII, p. 297.]

GENERAL ORDERS, No. 119. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, September 7, 1863.

I. All officers and agents of the Quartermaster's, Commissary, and Conscription Departments will render all assistance in their power in

collecting arms abandoned or left by stragglers in the hands of citizens.

II. Arms thus collected will be turned over to the nearest ordnance officer, who will receipt for the same, and upon proper vouchers pay any reasonable expense actually incurred for transportation.

III. Medical inspectors will be recommended by the Surgeon-General, and being approved, will be announced in orders from this office.

IV. As heretofore required in General Orders, No. 64, of 1862, respecting the hides of beeves, commissaries of subsistence in the field and at depots will transfer the hides of all slaughtered sheep to officers of the Quartermaster's Department, who will receive and preserve them to be tanned.

By order:

S. COOPER,
Adjutant and Inspector General.

COLUMBUS, MISS., *September 7, 1863.*

Brigadier-General CHALMERS:

Unless the infantry arm is built up our country will be utterly ruined. That arm is now too weak to act as a supporting force for the cavalry. The country is flooded with cavalry organizations and the whole population want to go into new cavalry organizations. While these continue it is next to impossible to get the infantry ranks filled. There is no officer in the service for whom I entertain a higher regard, or for whom I would go farther than yourself, but your own judgment and knowledge of the condition of the country must satisfy you of the necessity of at once stopping all new cavalry organizations.

I am ordered to conscript and take out of existing organizations all conscripts; but you can receive ten existing cavalry companies, conscripts and all.

Give my officers all assistance in your power. It is a high, patriotic duty.

GIDEON J. PILLOW,
Brigadier-General.

PROCLAMATION BY GOVERNOR VANCE.

Whereas, a number of public meetings have recently been held in various portions of the State, in some of which threats have been made of combined resistance to the execution of the laws of Congress in regard to conscription and the collection of taxes, thereby endangering the public peace and tranquillity as well as the common cause of independence which we have so solemnly engaged to defend; and whereas, it is my sworn duty to see all the laws of the land faithfully executed, and quiet and order maintained within our borders:

Now, therefore, I, Zebulon B. Vance, Governor of the State of North Carolina, do issue this my proclamation commanding all such persons to renounce such evil intentions, and warning them to beware of the criminal and fatal consequences of carrying such threats into execution. The inalienable and invaluable right of the people to assemble together and consult for the common good, together with

its necessary concomitants, the freedom of speech and the press, are secured to you, my countrymen, by the most sacred compact. They shall never find a disturber in me; yet you will remember that the same instruments which guarantee these great rights also limit you to the exercise of them within the bounds of law, and impose upon me the solemn duty of seeing that these bounds be not transgressed. The Constitution of the Confederate States and all laws passed in pursuance thereof are the supreme law of the land. Resistance to them by combination is treason, and without combination is a high crime against the laws of your country. Let no one be deceived. So long as these laws remain upon the statute book they shall be executed. Surely, my countrymen, you would not seek to cure the evils of one revolution by plunging the country into another. You will not knowingly, to the present desolating war with the common enemy, add the horrors of internal strife and entire subversion of law and civil authority. You must not forget the enviable character which you have always maintained as a sober, conservative, and law-abiding people; nor would I have you to forget the plain, easy, and constitutional method of redressing your grievances. Meet and denounce any existing laws if you think proper; you have that right, and instruct your Representative in Congress or the State Legislature, as the case may be, to repeal them. Your own chosen servants made those obnoxious laws; they can repeal them if such are your instructions. If you regard them as unconstitutional, our supreme court sits ready to decide upon all cases properly brought before it. Its decisions are final in the State of North Carolina, and shall be executed while the power remains in your Executive to enforce any law. There is no grievance to redress and no proposition to be made but can be most beneficially effected in the way our fathers marked out by the ballot box and the other constitutionally appointed means. In times of great public sensibility like the present any departure from this legal channel is revolutionary and dangerous, and tends to the division and distraction of our people.

It is my great desire, and I hope that of all good citizens, that our people should remain united, befall us what may. Should we triumph in the great struggle for independence, let no feelings of revenge, no bitterness mar the rejoicing of that glorious day. Should we fail, and come short of that great object for which we have struggled so long and bled so freely, let not our strifes and domestic feuds add to the bitterness of defeat. Attempts suddenly to change the existing order of things would only result in bloodshed and ruin. I therefore implore you, my countrymen, of all shades of political opinion, to abstain from assembling together for the purpose of denouncing each other, whether at home or in the Army, and to avoid seeking any remedy for the evils of the times by other than legal means and through the proper constituted authorities. We are embarked in the holiest of all causes which can stir the hearts of patriots—the cause of liberty and independence. We are committed to it by every tie that can bind an honorable people. Multitudes of our bravest and best have already sealed it with their blood, while others, giving up all earthly possessions, are either languishing in dungeons or are homeless wanderers through the land, and all have felt in a greater or less degree the iron hand of war. A great and glorious nation is struggling to be born, and wondering kingdoms and distant empires are stilled with listening hope and admiration, watching this greatest of human events. Let them not, I pray you, be shocked with the

spectacle of domestic strife and petty malignant feuds. Let not our enemy be rejoiced to behold our strong arms and stronger devotion, which have often made him tremble, turned against ourselves. Let us rather show that the God of liberty is in His holy temple, the hearts of freemen, and bid all the petty bickerings of earth keep silence before Him. Instead of engaging in this unholy and unpatriotic strife, and threatening to resist the laws of the land and endangering the peace of society, let us prepare diligently and with hopeful hearts for the hardships and sufferings of the coming winter. Heaven has blessed us with abundant crops, but thousands of the poor are unable to purchase. Let us begin in time and use every effort to provide for them and secure them against suffering. And let us exert ourselves to the utmost to return to duty the many brave but misguided men who have left their country's flag in the hour of danger, and God will bless us and our children, and our children's children will thank us for not despairing of the Republic in its darkest hours of disaster, and still more for adhering to and preserving amid the fiery trials of war conservative sentiments and the rights and civil liberties of the young Confederacy.

In witness whereof Zebulon B. Vance, your Governor, captain-general and commander-in-chief, hath signed these presents and caused the great seal of the State to be affixed.

Done at the city of Raleigh this 7th day of September, A. D. 1863, and in the year of American Independence the eighty-eighth.

[SEAL.] Z. B. VANCE.

SPECIAL ORDERS, No. 213. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, September 8, 1863.*

* * * * * * *

III. The Bureau of Conscription is authorized to raise and equip in each of the States of Georgia, South Carolina, North Carolina, and Virginia, one battalion of six companies of mounted men who furnish their own horses, and who are not liable to conscription, to be under the orders of the Bureau, for the purposes of conscription, the arrest of deserters, and for local defense, mustered for one year. Companies to elect their officers; the field officer to be assigned from the officers belonging to the enrolling service. Companies not to exceed 100, rank and file.

* * * * * * *

By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

GENERAL ORDERS, No. 121. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, September 9, 1863.*

I. Paragraph 1064 of the Army Regulations (107 of the Regulations of the Quartermaster's Department) is amended to read as follows:

Officers are entitled to pay from the date of the acceptance of their appointments, and from the date of promotion: provided, that disbursing officers, who are required to give official bonds, shall forward the same, always duly executed, with their letters of acceptance, and that their acceptances shall take effect only from the date of the approval of the bonds by the War Department. But in no case will an officer be assigned to duty and receive pay until he has received

his appointment. Notifications of the receipt and approval of said bonds will be forwarded to officers through the chief of the bureau to which they belong.

II. All officers of the Quartermaster-General's and Commissary-General's departments (except such as hold commissions in the Regular Army of the Confederate States) appointed prior to the commencement of the present session of Congress (January 12, 1863), and whose bonds, prior to the date of this order, have not been filed in and approved by the War Department, are hereby dropped: provided, that on satisfactory evidence that such failure has not been the result of gross neglect, the commanding general may grant the officers concerned a short leave of absence to make and forward their bonds, and shall report this fact to the Quartermaster-General.

III. No application for the revocation of the above order in any individual case will be entertained by the War Department. If a vacancy be occasioned in any brigade or regiment, or at a post, application will be made for a new appointment, in conformity to General Orders, No. 8, 1863; and the appointee, in accepting his position, will be held strictly to the requirements of preceding paragraph I.

IV. Officers of the Quartermaster-General's Department whose appointments bear date subsequent to the 12th day of January, 1863, and who have not filed bonds, duly executed, will be allowed a furlough for such time, not exceeding sixty days, as may be necessary to enable them to execute their bonds.

V. Commanding officers will be careful to recommend for appointment as disbursing officers only such persons as furnish reasonable assurance of their ability to execute the bonds required by law.

VI. All letters of appointment hereafter issued will be accompanied by a notification to the appointee that his official bond must be returned with his acceptance, and that the latter will take effect only from the date at which said bond is approved.

By order:

S. COOPER,
Adjutant and Inspector General.

ATLANTA, *September 9, 1863.*

Hon. J. A. SEDDON,
Secretary of War:

SIR: I had the honor to meet your letter of August 25 in Montgomery, when on my way to Atlanta in obedience to the summons of the court of inquiry.

Let me beg you to reconsider the opinion you express that I "do not hesitate to press with more haste and less formality of examination and allowance of exemptions than is required by the terms of the law." I have little, if ever, been called upon to enforce the conscript law. Finding that law almost a dead letter in my command, I proposed to you to intrust me with its enforcement. You did so, and I placed General Pillow at the head of that service in what was then my command. He has just completed his arrangements to gather conscripts, stragglers, and deserters in my present command, and there has been no time yet for appeal to me from his action, so that I have had no opportunity to disregard the law.

Hoping that on re-examination you may change your opinion of me in this matter,

I have the honor to be, your obedient servant,

J. E. JOHNSTON.

[SEPTEMBER 9, 1863.—For Davis to Brown, in relation to the organization of local defense men, and complimenting the State of Georgia "for this additional evidence of the patriotism of her people," see Series I, Vol. LII, Part II, p. 523.]

RICHMOND, *September 10, 1863.*

General HOWELL COBB,
Atlanta, Ga.:

You have been selected to superintend the organization, &c., of the troops offered by the Governor of Georgia for local defense, with a view to forming such organizations into battalions, regiments, brigades, and divisions. It will be your first duty to obtain from the adjutant-general of the State the muster-rolls of the several companies. Such of the men who tender for the State at large should be organized as one class; those who tender for the defense of a district or section of the State should be organized as another class, and those for a town or other locality will have to be accepted with their organization and be directed to report to some officer or post through whom or which they would receive orders and instructions. It is hoped by the President that you will be able to command a large number of these troops for service against the army now threatening to invade East Tennessee; and it is his desire that you should as promptly as possible assemble the men available for this purpose and proceed to prepare them and place them in position for efficient action. In some portions of the State, as represented by the Governor, nearly the whole arms-bearing population are enrolled for service. In such cases it would be well to apportion the calls for service so as to leave at home for the purposes of civil government, industrial pursuits, &c., a number equal to that which necessity demands. An apportionment was made by the Governor of the number required from each county; where the number of volunteers exceed the quota the number which had been called for would furnish a guide to you in making your calls. There are also persons who, from their pursuits, are habitually required at home. These it would be well to employ only for short periods, it being, however, understood that for an emergency all should be called out and the ordinary system of relief resumed when circumstances will permit.

You are aware that the right attaches to companies to elect their company officers, and that the field officers of all who organize themselves into battalions or regiments before acceptance into service are also entitled to election.

Very respectfully, &c.,

S. COOPER,
Adjutant and Inspector General.

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., September 10, 1863.

It is believed by the superintendent that the agencies of conscription now in operation are sufficient for the prompt, energetic, and complete administration of General Orders, No. 82, 1862, Adjutant

and Inspector General's Office, and all subsequent orders and instructions strictly concerning the enrollment, assignment, and forwarding of conscripts. While cases of doubtful interpretation or application of the law will continually arise and must necessarily be referred for adjudication to this Bureau, it is confidently assumed that commandants of conscripts are now provided with due authority and force sufficient to meet all demands of conscription. More fully to ascertain this the circular of August 10, 1863, was issued, and a system of inspection has been instituted, by means of which all deficiencies will be supplied. Commandants are expected and required to use all their agencies with the utmost vigor. The conscription must be pushed to its full legal scope, and with increased activity. Enrolling officers must be kept up to the work. The country looks to this department to furnish fresh material to meet the constant depletion of its armies. In no case and under no circumstances will the commandants be performing their duties if they retain without reporting inefficient enrolling officers.

Assuming, then, that the organization for conscription is complete, and that every officer will do his duty in that department, your attention is now specially directed to those other grave functions imposed upon you. The chief one is that of arresting and returning absentees from the armies. This now is the great duty of every officer of this department, of every State authority, and of every citizen of the Confederacy.

I. You will forthwith proceed to organize a mounted military force of such material as you can obtain, to be composed of non-conscripts, exempts, and other persons not liable to military service, who may volunteer for twelve months' service under the orders of this Bureau, to serve in the State in which they are raised. The principal duty will be that of arresting absentees and in repelling local invasion. You will as far as practicable enlist men who will furnish their own horses. The companies will be allowed to elect their own officers. The battalion will be under the command of an officer assigned by this Bureau. You will as early as practicable report your opinion on the probabilities of raising this force. It will be mustered in and armed as cavalry, with sabers and carbines. Conscripts will not be admitted into the organization, but may hereafter be assigned to that service by special order from this Bureau. Prompt attention to and activity is demanded in this matter. When the organization is complete and reported, special instructions will be given.

II. You will require the local enrolling officers to engage actively in their respective districts in efforts to procure men for the service, and to forward them forthwith to your camp of instruction, giving transportation. When reported at camp, you will instantly put them on some duty until sufficient numbers arrive for the organization of a cavalry company, according to regulations. On receiving that number you will order the organization and report to the Bureau the names, in full, of the officers elected.

III. Under this order you are authorized to raise six companies, not to exceed 100, rank and file, each.

By command of Col. John S. Preston, superintendent:

P. N. PAGE,
Captain and Assistant Adjutant-General.

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT, BUREAU OF CONSCRIPTION,
Richmond, Va., September 10, 1863.

Maj. J. C. Johnston, commandant of conscripts for the State of Kentucky, is authorized to establish his camp of instruction at any point he may select west of Wytheville, in Virginia, and east of Knoxville, in Tennessee, for the enrolling and reception of conscripts from Kentucky and Tennessee east of Knoxville. He is authorized to move his camp into or on the borders of Kentucky whenever any portion of that State is held by the armies of the Confederacy. All conscripts from Tennessee will be sent to Colonel Blake, commandant of conscripts for that State. All conscripts from Kentucky will be assigned, according to their selection, either in the armies of Tennessee or Virginia. Major Johnston will give special attention to the arrest, detention, and forwarding of stragglers, deserters, and absentees. He will confer on this subject with the generals commanding in the districts nearest to his camp of instruction. Frequent and full correspondence, giving information to the Bureau, is desirable.

By command of Col. John S. Preston, superintendent:

P. N. PAGE,
Captain and Assistant Adjutant-General.

HEADQUARTERS GEORGIA STATE LINE,
Cartersville, September 10, 1863.

General S. COOPER, C. S. Army,
Adjutant and Inspector General, Richmond:

GENERAL: I had the honor yesterday to telegraph you as follows:

I have directed the six-months' contingents coming here to the support of General Bragg to report to Col. W. H. Stiles, Sixtieth Regiment Georgia Volunteers, now here on detached service, to raise a force for the defense of upper Georgia. Will you approve, or, if not, will you assign our officers to command them?

These troops are a portion of the 8,000 men recently called for from this State for six months. Their muster-rolls are being sent in to the office at Milledgeville, but, as is the case with raw troops, they are slow in the matter, and many of them, after sending them in, desired to organize themselves into battalions or regiments. My instructions from the Governor were not to have them transmitted to Richmond until all were in. These men coming here report their officers and strength to Colonel Stiles, and every precaution will be taken to protect the Government against future improper claims. The threatening movements of the enemy in this vicinity induced the ordering out at once of a portion of the force to aid the State troops in guarding the railroad and the bridges on its line and in giving General Bragg any further aid he might require. I was officially notified on Sunday last by General Wheeler, then covering our flank, to look out for an attack on the road at any time, and my instructions have been repeated since to be on the alert. This will explain to you in part the necessity requiring the presence of these contingents. Having been mustered into the Confederate service, I regarded Colonel Stiles, a Confederate officer, as a proper person to command them, my own special command and duties, moreover, not permitting me the time to attend to them personally, and Colonel Stiles having kindly volunteered to me his assistance. By confirming Colonel Stiles in his command, as reported to you, or by assigning another Confederate officer

to command them, confusion and expense will be avoided and saved, as, with a proper staff, he can provide readily for their wants.

I have the honor to be, general, very respectfully, your obedient servant,

HENRY C. WAYNE,
Adjutant and Inspector General, Commanding.

[SEPTEMBER 10, 1863.—For Vance to Davis, reporting riotous conduct of Confederate troops passing through North Carolina, and the resulting correspondence, see Series I, Vol. LI, Part II, pp. 763–768.]

GENERAL ORDERS, No. 122. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, September 11, 1863.*

I. Commanding officers of regiments, battalions, &c., will, immediately on receipt hereof, cause to be made out and forwarded, through proper channels, to Col. J. S. Preston, chief of the Bureau of Conscription, a complete list of all persons held as substitutes in the Army, in their respective commands. This list will embrace the regiment, company, date of enlistment, and age of each substitute, with the name and post-office of the principal. They will also, in the same manner, furnish a monthly roll of all deserters and absentees without leave. This will be arranged according to the county and Congressional district to which the parties belong, and will set forth the time and place of desertion in each case.

II. All officers charged by commanding generals with the duty of arresting and returning deserters and absentees will report to the commandant of conscripts in the respective States to which such officers are sent, and will co-operate generally with enrolling officers in the discharge of the duties assigned to them.

III. The following act of Congress is published for the information of all concerned:

Every person, not subject to the Rules and Articles of War, who shall procure or entice a soldier of the Confederate States to desert, or who shall purchase from any soldier his arms, uniform, clothing, or any part thereof, shall, upon legal conviction, be fined, at the discretion of the court having cognizance of the same, in any sum not exceeding three hundred dollars and be imprisoned not exceeding one year.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., September 11, 1863.

Col. G. W. RAINS,
Augusta, Ga.:

SIR: Your letter of the 24th ultimo has been received. I am too imperfectly acquainted with Governor Brown's action in regard to the troops recently raised in Georgia to infer his intentions, and he has not as yet explained them nor sent on the muster-rolls. From what you state it is probable he wishes to secure to the troops raised in the State the character of militia to be officered by him, and not that of

Confederate troops for local defense raised under the acts of Congress. This would in a measure be effected by having the number less than prescribed if organized under the law of 1861. Or he may design to secure the organization into battalions or regiments before the troops are tendered and accepted by the Confederate Government, in which event the field officers would be elected instead of being appointed by the President. To what extent he may proceed in his line of policy I can only conjecture. I fear he may cause some embarrassment by the line of action preferred by him; but with the patriotic spirit he has manifested, and the success he has had in raising troops, he will have strong ground to appeal to the Department to give sanction to his proceedings so far as the law will allow. There is no doubt, however, that under the acts of Congress companies preferring it may organize independently of the Governor, and, either singly or organized by themselves into battalions or regiments, offer themselves for acceptance to the Confederate Government. This whole matter of the organization of the local troops in Georgia has been intrusted by the President to General Howell Cobb, and full instructions have been forwarded him. He will divide them into the troops enlisted for service throughout the State, those for districts, and those for towns or neighborhoods. The former will be formed into brigades with brigadier-generals to command them; the others will report to commandants of posts, &c.

You had better address him and receive full explanations and instructions.

Respectfully,

JAMES A. SEDDON,
Secretary of War.

RICHMOND, *September 11, 1863.*

HENRY C. WAYNE,
Adjutant and Inspector General:

Please communicate with General Howell Cobb, at Atlanta, who is charged with the organization, &c., of troops being raised in Georgia. He will either accede to your suggestion, or send an officer to command the six-months' contingency. If neither, you can turn them over to the command of Colonel Stiles.

S. COOPER,
Adjutant and Inspector General.

EXECUTIVE DEPARTMENT,
Marietta, Ga., September 11, 1863.

His Excellency M. L. BONHAM,
Charleston, S. C.:

SIR: Yours to His Excellency Governor Brown upon the subject of aid from the troops of this State was only received here this morning. I deeply regret to have to say that the Governor went up to his country place a few days ago, after a trip to Augusta and Milledgeville, quite bilious. He is now two days behind time, and from a letter from him of the 9th I fear he is sick. I expect him hourly, if not sick. I have also to regret that, from my knowledge of the situation here, the pressing nature of the campaign on the northern border leaves but little ground to hope for aid from this quarter.

I should also mention the fact that the troops raised under the late call were, under the act of Congress, for local defense and special

service. The troops were given the privilege of prescribing in their muster-rolls the section of country they will engage to serve in; all prescribe a limit within this State, and therefore could not be forced to go out of it. Moreover, they are mostly old men, boys, and business men, who are so situated that it is not likely they would volunteer for such a campaign.

I will refer your letter to the Governor on his arrival.

Yours, &c.,

HERBERT FIELDER,
Aide-de-Camp.

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT,
Charleston, September 11, 1863.

General BEAUREGARD:

SIR: In answer to a paper which General Garlington informs me has been referred to me, but without any remarks from yourself, I recommend:

First. If the Sixteenth South Carolina Militia be disbanded, that the Eighteenth, at Summerville, which has its six-months' company already organized, be also disbanded as a militia regiment, and that neither be disbanded before Tuesday next. This I deem important to secure the organization of the six-months' troops.

Second. That the officers of companies now under Colonel Magrath in the Sixteenth Regiment be ordered by you to report on or before Monday next, the 14th instant, to the adjutant and inspector general of the State with all men of their companies, and with a full list of all who belong to their companies, whether in the city or out of it, between the ages of forty and fifty, in order that they may be organized into companies for the Third Regiment of six-months' troops as called for by the President.

Third. The First, Colonel Roberts, and the Fifth, Colonel Williams, of the six-months' troops, have been ordered to this place in accordance with your request, and I have also recommended that they be retained in the city on account of the want of camp and garrison equipage for them, they being from the interior and unaccustomed to exposure in this climate.

Fourth. The company of the Eighteenth South Carolina Militia belonging to the Third Regiment of six-months' troops is now at Summerville, and should be ordered to remain there on duty in charge of the place, and if necessary a part or all of one of the two regiments ordered here might be ordered to remain there also.

Fifth. Under the instructions from the Secretary of War the conscripts are to remain with the six-months' troops to which they belong till this emergency has passed. Such is the case in all the other regiments and should be in this.

Very respectfully, your obedient servant,

M. L. BONHAM.

[Indorsement.]

HDQRS. DEPARTMENT OF SOUTH CAROLINA, &C.,
Charleston, S. C., September 11, 1863.

The within suggestions are approved. General Jordan will ascertain how far the fifth suggestion can be carried into effect.

G. T. BEAUREGARD,
General, Commanding.

[SEPTEMBER 11, 1863.—For Smith to Davis, inclosing copy of the proceedings of a conference held at Marshall, Tex., &c., see Series I, Vol. XXII, Part II, p. 1003.]

RICHMOND, VA., *September 12, 1863.*

His Excellency JOSEPH E. BROWN,
Milledgeville, Ga.:

SIR: By telegram of the 9th instant* I had the honor to acknowledge the receipt of your letter of the 29th ultimo, and to express to you my deep sense of gratitude to yourself and the State of Georgia for the promptitude with which so many of her patriotic sons have organized for defense against the threatened incursion of our enemy. The organization of this force will depend on the character of the troops. It would seem that those who tender for service in the State should properly form one class to be organized into brigades or divisions, according to numbers. Those who propose to serve within certain districts and in certain towns or places should form a second and third class. The first class appears to me to be the only one for which brigade commanders would be required, as they only could ever meet and do duty together in large bodies. Those composing the other two classes should have some general supervision to insure efficiency and expedite answers to calls for service. Your suggestion in reference to General Wofford has been referred to General Lee, in whose army General Wofford commands a brigade, which has been temporarily detached.

I concur in the view taken by you that where nearly the whole arms-bearing population have offered for service the calls should be partial, and that persons who cannot be taken from home for a long time without embarrassment to the State government and to the people should not be so taken, except in cases of great emergency. I have ordered instructions to be prepared accordingly and sent to General Cobb, who has been directed to attend to the organization of the troops raised for local and special service. It will give me pleasure to receive any suggestions you may think proper to make and to give them prompt and respectful attention.

With renewed assurances of my thanks for your prompt action and gratifying success,

I remain, very respectfully and truly, yours,

JEFFERSON DAVIS.

RICHMOND, VA., *September 12, 1863.*

His Excellency JOSEPH E. BROWN,
Milledgeville, Ga.:

GOVERNOR: In view of the present posture of affairs, and of your familiarity with the feelings of the people and the requirements of the military service upon your northern border, I should be glad if you can find it convenient to visit me. In conversation we may be able to concert more effectually than through letters measures which will increase the strength of the army and the security of the State. Please accept my congratulations upon the prompt and zealous manner in

*See Series I, Vol. LII, Part II, p. 523.

which the people of Georgia have responded to my late call for additional troops. The spirit they have shown is most gratifying, and is worthy of the kinsmen of men who have displayed such gallantry in action as the troops of Georgia have exhibited on many hard-fought fields.

Very respectfully and truly, yours,

JEFFERSON DAVIS.

[SEPTEMBER 12, 1863.—For Cockrell to Cooper, recommending measures for strengthening the division of troops from Missouri, and indorsements thereon, see Series I, Vol. LII, Part II, p. 524.]

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
DEPT. OF TENNESSEE, ALABAMA, AND MISSISSIPPI,
Marietta, Ga., September 13, 1863.

General S. COOPER,
Adjutant and Inspector General, Richmond:

The army having retired from East Tennessee left the conscript branch of this bureau without protection. The officers and camps are now in Georgia. My organizations in Alabama and Mississippi were and are completed, and I have no field of labor for these officers. I applied for authority in my communication of August 7 to extend the organization over General Bragg's department, embracing those portions of West Virginia and North Carolina lying west of Blue Ridge and Northern Georgia. General Bragg in his indorsement urged that those portions of his department be included in this conscript department. Not being able to engage the officers who have retired from Tennessee on duty, I have felt it was proper to order Colonel Blake to proceed to Richmond and report to the Secretary of War for instructions. I have explained to Colonel Blake the character of the organization of this bureau that you may judge of its efficiency. It is a complete net-work of organization which is spread like a map all over those portions of the States in our possession, and with an active corps of officers with supporting forces of cavalry will soon sweep the country clean of deserters and conscripts, and must, to the exhaustion of the population, rapidly build up our armies. This organization, you will perceive, is equal to the work to be performed. Practically its success has been felt by immediately strengthening the army wherever it has been put into operation. Several thousand men have already been added to each of the two armies, viz, of Tennessee and Mississippi, although it has just been put into operation. One single rendezvous, that of Selma, reports 1,344 men returned and added to the army. One other, Tuscumbia, reports 334 men for the month of August. These two rendezvous are the only ones whose reports I have received. The others have not, in consequence of my being constantly in motion, been received.

I have directed Colonel Blake to explain to you fully the working of the bureau. If all the States east of the Mississippi River were under a like organization, and those in the Trans-Mississippi Department under a similar organization, there would be no difficulty in keeping our armies as strong as needed, while the very existence all over the country of such an organization, with power to promptly

arrest and return to the Army all deserters, would put an effectual stop to desertion itself. It is only by such an organization that the great evil of desertion, which is now an alarming evil so demoralizing to the Army, can be cured. Men would not leave the Army when they knew they could not stay at home. This organization would very soon satisfy the deserters and their friends at home that the only place they could stay would be in the Army. Let this organization be adopted and the generals in the field enforce a more rigid discipline, and my life for it, the evil of desertion is cured, and the Army everywhere will be made as strong as the wants of the Government may require. If the Government would direct this organization to be extended over the States east of the Mississippi and appoint an efficient officer to take charge of the organization in each State, so as to give the proper aid to the officer over the whole, when the organization is completed the Department of War need have no further apprehensions of disaster for want of men. We have the population and the system will put them into the field, and all the resistance which now threatens such serious consequences in disaffected sections would soon cease, and in its stead a ready acquiescence in the necessities of the service by the whole country.

I am, sir, so deeply interested in the struggle, and my convictions of the correctness of these views so clear, and my experience in this branch of the service so thorough, that I trust you will pardon the freedom with which I have pressed these considerations on your attention. In a personal interview I could explain everything much more satisfactorily than I can possibly do here; but if the views are worthy of consideration and adoption by you, I shall request to be allowed to visit and explain more fully to the Department everything desired.

Respectfully, your obedient servant,

GID. J. PILLOW,
Brigadier-General, C. S. Army,
Superintendent Bureau, Department of Tennessee, &c.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., September 14, 1863.

General J. E. JOHNSTON,
Atlanta, Ga.:

GENERAL: I have just received your letter of the 9th instant asking my reconsideration of an opinion expressed in a previous letter with reference to your mode of executing the conscript law. I had so little purpose of reflecting censoriously upon yourself and your action that on first reading your letter I thought your citation by extract must be mistaken, and that you had misunderstood as intended for yourself what had really reference to General Pillow, the efficient agent employed by you. On reference to a copy of my letter, however, I find the citation correct, and that in the connection the language is applicable directly to yourself and to General Bragg. While through inadvertence, or the haste of writing amid the business of the office, I have so expressed myself, it is certain that what I had in mind in characterizing the course of conscription and the views in respect to it taken by General Bragg and yourself, as hasty, &c., was the method and rapidity of execution adopted by General Pillow, when formerly trusted with duties similar to those again, from approval by you,

reposed in him. I thought it natural to expect, under the urgency existing for the recruiting of the armies, a similar line of conduct would, with your sanction, be adopted by him. I was not disposed to censure, nor disinclined to allow, such action, in view of the aims at once to be accomplished by it; but I certainly thought that it would be executed, as it seemed to me formerly it was by General Pillow, with less formality and attentive observance of the limitations and exemptions of the law than I would consider appropriate on the part of the Department. An allowance is always made in the popular mind for more urgency and rapidity of action on the part of military commanders in the field than would be readily accorded to the regular administration of any branch of the service by the Department. In this view I appreciated the zeal, energy, and promptitude of General Pillow's action, and thought, as I still think, it expedient to resort to it under pressing exigencies of the service, but should expect to place it, if permanently continued, under more precise regulations. I regret to have been betrayed into any inadvertency of expression which implied censure either of yourself or any other, and I have pleasure in expressing the confidence that I feel that there will be no willful disregard of the law on your part or, in all probability, on that of General Pillow, but only with the latter such mistakes as are inseparable from the mode and promptitude of his proceedings.

Very truly, yours,

JAMES A. SEDDON,
Secretary of War.

HEADQUARTERS,
Atlanta, Ga., September 14, 1863.

General S. COOPER,
Adjutant and Inspector General, Richmond, Va.:

GENERAL: I have to-day entered upon the duty of organizing the State troops ordered to this point by Governor Brown. I have taken steps for organizing all the troops ordered by Governor Brown to report to the Confederate authorities, though I await an answer to my telegraph on this point before taking decided action in the matter. The troops are rapidly assembling, and I hope within a short time to complete the organization. Until I receive your instructions forwarded by mail I can only take preliminary steps. I have had an interview with Governor Brown, who manifests every disposition in his power to aid me in the business, and I have no doubt there will be cordial co-operation between the State and Confederate authorities.

I am, general, very respectfully, yours, &c.,

HOWELL COBB,
Brigadier-General, Commanding.

[SEPTEMBER 14, 1863.—For Seddon to Vance, in relation to disaffection of North Carolina troops in the Army of Northern Virginia, and inclosing a letter from General Lee, see Series I, Vol. XXIX, Part II, p. 723.]

[SEPTEMBER 14, 1863.—For Bonham to Seddon, in relation to putting the six-months' troops into the field, see Series I, Vol. XXVIII, Part II, p. 363.]

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT, BUREAU OF CONSCRIPTION,
Richmond, Va., September 14, 1863.

As it has been reported to the Bureau that many fraudulent substitute papers purporting to be discharges from the following regiments, &c., are in circulation, commandants of conscripts will direct their enrolling officers in every instance where discharges from any of these commands are presented to forward the papers to this office, that the matter may be thoroughly investigated, and if fraud has been practiced that it may be exposed:

Ninth Louisiana, Battalion Louisiana Zouaves.

Tenth Louisiana, Montgomery True Blues, artillery company, Captain Andrews.

Colonel Dunn's Thirty-seventh Battalion of Virginia Cavalry.

By command of Col. John S. Preston, superintendent:

P. N. PAGE,
Captain and Assistant Adjutant-General.

[SEPTEMBER 16, 1863.—For orders of Governor Flanagin, calling into service the militia of certain counties in Arkansas, see Series I, Vol. LIII, p. 896.]

RICHMOND, VA., *September 16, 1863.*

JOHN MILTON,
Governor of Florida:

SIR: Your favor of August 18 has been received, and the important topics discussed in it have received from me the attention due not only to your high official position, but also to your patriotic and thorough-going devotion to the cause in which we are engaged. I have heretofore written to you of the inability of General Lee at this juncture to spare the Florida brigade from his army. I trust, however, that means will be adopted to preserve its integrity as a brigade, and that, re-enforced by recruits, it may continue to add to the history of our arms. Your views and suggestions as to the preference to be given its well-tried and veteran officers over new aspirants are not only sound but strictly in accordance with the law known as the conscription act and the policy to which I have endeavored to conform. You speak with a just sense of the impropriety of the employment of able-bodied men in positions in the Quartermaster's and Commissary Departments, which could well be filled by those whom the casualties of war have rendered unfit for field duty. My own attention has been long since strongly called to this subject, and finding that suggestions as to the advantages of a substitution of these latter for the former met no proper response, orders have been issued for this purpose, and a searching investigation instituted which it is trusted will have good results. General Orders, No. 105, is inclosed.*

In regard to the appointment of district assessors, collectors, and their agents, the same general rule was intended to be applied, although in the appointment to the higher and more important positions mental qualifications more than mere physical ones must be

* See p. 683.

consulted. The law and the instructions issued to chief quartermasters in regard to the appointment of agents and other subordinates employed in the collection of the taxes were imperative, and any appointments to those situations of persons qualified for field service are unauthorized, and if pointed out will be remedied. The earnest and searching manner in which you have taken up the whole question of posts held by incumbents who should be in the ranks is but another proof of the zeal which you everywhere manifest for the success of the Confederate cause. And this is still further made evident in the correspondence laid before me by you in regard to the removal of the iron on the Florida Railroad. You need, of course, sir, no assurance from me that that correspondence does not derogate from your high position, but it is gratifying to me to be able to say to you that in this time of our trouble, when so many are disposed to withhold from the Confederate Government the means of success, you should occupy the high standpoint of strengthening its hands by all the means in your power, and of nobly disregarding all considerations except the common weal. In this you are not only the Governor but the representative of the people of Florida.

I think, sir, that the action of the War Department may avoid some obstacles interposed to prevent the accomplishment of a work which we both deem necessary for the proper defense of Florida, while at the same time this action may not in its practical workings differ very widely from the policy you prefer. The Secretary of War has approved the route selected by the Engineer Bureau as combining the greatest advantages, that route being the railroad connection east of the Alabama River. This, I understand, is sanctioned by your own judgment. Satisfied of the necessity of this connection, the Secretary of War wishes to build it with least delay and embarrassment practicable, and in pursuance of this purpose proposes to use for its construction iron impressed or otherwise obtained by the Confederate Government in such manner as will not subject it to the imputation of fostering a railroad enterprise at the expense of the Florida Railroad. However groundless and unjust such a charge might be, it would seem well to avoid anything which might serve to irritate the popular mind of East Florida in opposition to the removal of the iron from the Florida Railroad. The use of iron for the general purposes of the Government rendered necessary by military exigencies cannot excite so active and partisan a spirit of opposition as if employed in building this connection, and it is desired to execute this measure, so unpalatable to those whose interests were involved, with as little harshness as may be. It is hoped your discretion may reconcile them to it in the form presented, and that your cordial support and patriotic firmness may repress any undue opposition, should such be offered. I trust that this plan adopted by the Secretary of War may meet your full approval. I again beg leave to renew the assurance of my esteem.

Very respectfully and truly, yours,

JEFFERSON DAVIS.

RICHMOND, VA., *September 17, 1863.*

J. W. HARMON,

Secretary of the Confederate Society, Enterprise, Miss.:

SIR: I have received your letter of the 22d ultimo, inclosing a copy of an address to the people of the Confederate States, calling upon them

to unite in an effort to restore and maintain the par value of the currency with gold by forming societies of citizens who will engage to sell and buy only at reduced prices. The object of the address is most laudable, and I sincerely hope for it great success in arousing the people to concerted action upon a subject of the deepest importance. The passion of speculation has become a gigantic evil. It has seemed to take possession of the whole country, and has seduced citizens of all classes from a determined prosecution of the war to a sordid effort to amass money. It destroys enthusiasm and weakens public confidence. It injures the efficiency of every measure which demands the zealous co-operation of the people in repelling the public enemy, and threatens to bring upon us every calamity which can befall free men struggling for independence. The united exertions of societies like those you propose should accomplish much toward abating this evil and infusing a new spirit into the community. I trust, therefore, that you will continue your labors until their good effect becomes apparent everywhere. Please accept my thanks for the comforting tone of your patriotic letter. It is a relief to receive such a communication at this time, when earnest effort is demanded, and when I am burdened by the complaining and despondent letters of many who have stood all the day idle and now blame anybody but themselves for reverses which have come and dangers which threaten.

Very respectfully, your fellow-citizen,

JEFFERSON DAVIS.

ATLANTA, *September 17, 1863.*
(Received 18th.)

His Excellency JEFFERSON DAVIS,
Richmond, Va.:

The Home Guards are responding nobly. I think 7,000 to 8,000 will be ready for service in a short time. I shall need 3,000 stand more of arms. Send them at once. I think a major-general should be appointed immediately to be ready to take command by the time the organization is completed. You requested me to make nomination. I respectfully ask that General Henry R. Jackson be appointed major-general to command the whole force. So far as I can learn, this is the general wish of the troops and of the people of the State. As the representative of these people I tender my thanks for your expression of appreciation of the response of the State to your call; and will in turn highly appreciate your action if you will gratify the wish of those who have made the patriotic resolve. Please say by telegraph whether you will make the appointment.

JOSEPH E. BROWN.

I fully and cordially indorse the above recommendation for the appointment of General Jackson to the command mentioned.

HOWELL COBB,
Brigadier-General.

CARTERSVILLE, *September 17, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War:

Does Special Orders, No. 213, to General Howell Cobb, include the entire force in Georgia for local defense, or any other than those

ordered to Atlanta by the Governor? Do they embrace the force which by your authority of the 6th of June I proceeded to raise between Atlanta and Tennessee line, which, under Executive call, met at Kingston, and which General Wayne, adjutant-general of the State, has turned over to my command?

W. H. STILES.

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., September 18, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have the honor to transmit the inclosed papers. I handed them to the President unofficially before sending them to you, for the purpose of verifying by their incidental information a verbal statement I had made to the President and General Lee as to the numbers in certain regiments in the Department of South Carolina, Georgia, and Florida. The main purpose of Major Melton's communication I indicated in the draft of a general order I submitted yesterday. These letters are in answer to my request to Major Melton for his views concerning the matter treated of.

Respectfully, your obedient servant,

JNO. S. PRESTON,
Colonel and Superintendent.

[Inclosure.]

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., September 17, 1863.

His Excellency President DAVIS:

MY DEAR SIR: I regard the matter I submitted to you yesterday of sufficient importance to warrant me in asking the ten minutes required for your perusal of the accompanying papers. I will endeavor, by carefully drawn instructions, to mitigate the evil complained of and apprehended.

The irregularities on the part of the military authorities are, of course, not within the scope of my official action. Coming to my knowledge officially, as they necessarily must, I regard it my duty to call attention to them.

Very respectfully, your obedient servant,

JNO. S. PRESTON,
Colonel and Superintendent.

[First indorsement.]

SEPTEMBER 17, 1863.

SECRETARY OF WAR:

To assign or permit volunteers to join a company so as to raise it above the maximum prescribed by law is a military offense which should be decisively noticed.

New companies cannot be organized of men liable to conscription, except as provided in the sixth section of the act of April 16, 1862.

Those who, being liable to enrollment, may anticipate it by volunteering can only select companies which were in service at the date of "conscription" act and which are not full at the time the selection is made.

The instructions given in relation to the six-months' men will be examined. As my memory serves, the intent was to have all enrolled who were subject that they might be assigned to companies, but to leave them in their present organizations until the emergency should cease or their term of service expire.

JEFFERSON DAVIS.

[Second indorsement.]

Has the proposed order been sent in by Colonel Preston? Let me have it if it has.

J. A. SEDDON,
Secretary.

[Sub-inclosure No. 1.]

SECRETARY OF WAR:

1. The privilege of volunteering since April 16, 1862, is confined to those who are not of the age of conscription, or those who have not been enrolled as conscripts.

2. All persons who have been temporarily exempt from the operation of conscription or whose exemption was withdrawn by the repeal of the law under which they enjoyed exemption (overseers and owners of slave property) are under the control of the commander of conscripts.

3. The recruiting of conscripts under General Orders, No. 82, and the instructions for the Adjutant and Inspector General's Office of January, 1863, was subject to the conditions contained in Orders, No. 82, that such officers must report to the commandant of conscripts in their respective States, receive instructions from him, and assemble these conscripts at such point as he may designate. Conscripts enrolled without reporting to such commandants will be deemed to be enrolled for general service, and shall at any time be transferred on their own application, or on the application of commandants of c rps needing conscripts, to such corps.

4. A controversy on this subject arose last winter between Ge eral Beauregard and Colonel Weems, commandant of conscripts of Ge rgia. Colonel Weems was then informed:

There is no direction to the commanding general of a department or of an army to apply to this Department for a permission to detail officers to make enrollments. He may do so under Orders 82 without such a permission. But the action of those officers is to be regulated by instructions from the commandant of conscripts, and they cannot make any disposition of the conscripts without his consent. The object of the privilege conceded to the commanding general was not that he might appropriate a greater number of conscripts than others, but only by superior energy and activity that he might obtain his quota with more rapidity than otherwise.

5. The mode of redress under the law and orders of the Department is then clearly provided by reference to the orders before quoted.

———— ————,
Colonel and Superintendent.

[Sub-inclosure No. 2.]

HEADQUARTERS CAMP OF INSTRUCTION,
Columbia, September 12, 1863.

Col. JOHN S. PRESTON,
Superintendent of Conscription:

COLONEL: The inquiry is herewith submitted whether the privilege of volunteering "before enrollment" as conscripts shall be extended

to those persons who have heretofore been exempt as "overseers" and "owners" and who are now ordered into service, as also to those who are now in the State six-months' regiments and who will be ordered into service when those regiments are disbanded.

In this connection I submit for your consideration the inclosed tabular statement of the volunteers who reported to my enrolling officers under the President's recent call and the companies and arms of service selected by them, an examination of which will present to you some data which may influence your judgment on the inquiry submitted.

Before directing you to the particular points presented in this statement, let me say that in the call of the President, extending to all the privilege of volunteering "before enrollment," orders were issued from these headquarters on the 27th of July requiring those who desired to volunteer under this call to report to the enrolling officers of their respective districts by the 20th of August, indicating the companies selected, and go forward by the 1st of September. This order was operative as well upon those who belonged to the six-months' State troops as upon others. I was, however, instructed by you, under date of 10th of August, "to allow all persons in the six-months' troops to remain in their organization for the present."

This induced the issuing of an order on the 12th of August countermanding my order of July 27, so far as it affected those who were members of these State regiments. The number, therefore, who reported as volunteers under my order was much restricted, fully seven-eighths of those liable to conscription being members of those regiments. Of those who did report as volunteers a large number belong to those regiments having reported prior to the issuing of my order countermanding as to them the previous order. The lists sent up by my enrolling officers of volunteers who reported under this call foot up an aggregate of 1,053. Of this number you will see by the tabular statement that 808 selected companies on the coast in this State; 245 selected companies not in this State. You will also note the following particulars, that 298 (nearly one-third) selected the cavalry service, and of these 289 selected companies on the coast; that 127 selected companies in Colonel Keitt's Twentieth Regiment South Carolina Volunteers, a regiment long since overflowing in numbers; that 57 selected Colonel Aiken's Sixth South Carolina Cavalry, a regiment all of whose companies were organized since April 16, 1862.

You will further notice that of the 245 who selected organizations beyond the State 94 volunteer for Jenkins' brigade, already by far the strongest of the South Carolina brigades in Virginia, the highest number to any other brigade in Virginia being 18.

This statement we may fairly assume as presenting the ratio in which the men now called out will distribute themselves if left to their option. If, therefore, the privilege of volunteering be given them, with no other restrictions than those imposed by existing orders, we may rest assured of these results: First, that these men will go, nearly to a man, to companies on the coast; second, that a very large proportion will go into cavalry service; third, that a large number will go to companies organized since April 16, 1862 (chiefly to Aiken's Sixth South Carolina Cavalry, and to companies recently formed and to others which are now forming on the coast); fourth, that the veteran brigades of McGowan, Kershaw, Jenkins, and Evans, to whom these men all rightfully belong, will receive comparatively few.

Many causes contribute to this tendency of men when left to their own choice—the desire to be in one's own State, if for no other reason than its proximity to home; the impression that the cavalry is the lightest arm of the service, at the same time the healthiest and least exposed to the casualties of war; the popularity of regiments whose ranks are full, and the disinclination to go to those whose ranks have been reduced by battle or disease.

To attempt a remedy for this by a denial of the privilege of volunteering would, I think, be altogether unadvisable. Four-fifths of the men will go forward promptly when ordered. They will feel it an act of injustice if they are to be forced forward as conscripts, and to avoid the ignominy, as they regard it, they will evade the enrolling officers and the camps of instruction by every possible means, before enrollment and after enrollment, and will go, *nolens volens*, to companies of their choice. And to the correction of this evil existing orders are wholly inadequate, for while it may be declared that these men shall not go to companies of their choice, there is no order prohibiting commanders of companies from recruiting and mustering them in, and none requiring them, if received, to be surrendered on requisition to the camp of instruction.

The remedy will be found, I respectfully submit, in such orders as will advertise the men before they go forward that if they go in violation of orders they will be reclaimed and returned to the camp of instruction. Nothing but this, held over them *in terrorem*, will compel their conformity to orders. In my orders of July 27 I attempted to reach the evil by myself assuming to impose a restriction of this kind, but recruiting officers boldly told their men that the commandant of conscripts had no control over volunteers, that he had no authority to make reclamation, and that such reclamation would not be respected.

I respectfully suggest, after careful consideration of all the circumstances, that the right to volunteer "before enrollment" shall not be denied to the men now called out, but that it shall be subject to the following restrictions: First, limiting the right to companies in service at date of April 16, 1862, and to companies reorganized under act of April 16, 1862, and only to such of those companies as are not already full; second, forbidding captains to receive and muster in persons of conscript age without a certificate showing that they reported to an enrolling officer as volunteers and selected companies of the classes permitted; third, declaring that if any one shall go forward to any company and be mustered in contrary to orders it shall be the duty of the commandant of conscripts to make requisition for him and the duty of the captain and his superior commanding officers to return him to the camp of instruction; fourth, requiring conformity with such orders and regulations as may be imposed by the commandant of conscripts of each State for the enforcement of these orders.

The necessity for immediate action in the matter will excuse me in asking to it the earliest possible attention.

I have the honor to be, very truly, your most obedient,

C. D. MELTON,

Commandant of Conscripts, South Carolina.

[Inclosure.]

Tabular statement showing number of persons volunteering under President's call and the organizations and arms of service selected by them August 20, 1863.

ORGANIZATIONS IN THE STATE.

20th Regiment South Carolina Volunteers, Colonel Keitt	127
Palmetto Battalion Light Artillery, Lieutenant-Colonel White	88
Charleston Battalion, Lieutenant-Colonel Gaillard	63
2d Regiment Artillery, Colonel Frederick	59
1st Regiment Infantry, Colonel Butler	42
21st Regiment South Carolina Volunteers, Colonel Graham	38
7th Battalion South Carolina Volunteers, Lieutenant-Colonel Nelson	28
Siege train, Major Manigault	19
25th Regiment South Carolina Volunteers, Colonel Simonton	14
Marion Artillery, Captain Parker	12
Battalion sharpshooters, Major Abney	10
Scattering	19
3d Regiment South Carolina Cavalry, Colonel Colcock	47
4th Regiment South Carolina Cavalry, Colonel Rutledge	106
5th Regiment South Carolina Cavalry, Colonel Dunovant	36
6th Regiment South Carolina Cavalry, Colonel Aiken	57
Tucker's South Carolina cavalry, Captain Tucker	43
Total to organizations on coast	808

ORGANIZATIONS NOT IN THE STATE.

General Jenkins' brigade, Virginia	94
General Evans' brigade, Georgia	78
General Gist's brigade, Mississippi	18
General McGowan's brigade, Virginia	18
General Kershaw's brigade, Virginia	17
General Manigault's brigade, Tennessee	11
General Hampton's brigade, cavalry, Virginia	7
Holcombe Legion, cavalry, Virginia	2
Total	245
Organizations in the State	808
Organizations not in the State	245
Total	1,053
Infantry in the State	341
Infantry not in the State	236
Total	577
Cavalry in the State	289
Cavalry not in the State	9
Total	298
Artillery in the State	178

[Sub-inclosure No. 3.]

COLUMBIA, *September 12, 1863.*

Col. JOHN S. PRESTON:

DEAR SIR: The importance of the matter submitted in the accompanying communication will excuse my urgent request that you will give your earliest attention to it. I have not yet ordered out the "overseers" and "owners" who have heretofore been exempt for the reason that to do so under existing orders would defeat the declared

purpose of the conscription act as to the distribution of the men called out. The points submitted are the same made in my suggestions on "volunteering" sent you on your assuming charge of the Bureau. I have waited hoping that the Adjutant-General would place within my power a remedy for the evil, and have forborne to order these men out before such orders were received, knowing that whether allowed to volunteer or not they would scatter hither and thither without control on my part, without regard to existing orders, without reference to the exigencies of the service, without, indeed, any restrictions beyond their own inclinations. The data necessary to give you a proper understanding of the case could not be earlier obtained; the delay, if it shall lead to a correction of the evil, will be amply compensated.

It must be borne in mind that this is the last levy; the country cannot bear a further extension of the conscription. If the veteran brigades are not now to be refilled they can never be. They have a right to the men now called out, a right under the very terms of the conscription act, and, I respectfully submit, have a right to such orders as will force these men into their ranks.

In this connection I beg your attention to the inclosed communication of Major Perryman, chief enrolling officer for Charleston. I know not to what extent are the abuses of which he speaks. I have reason to believe that they exist to a very large extent. The regiment of Colonel Keitt has been for a long time filled to repletion; at one time was said to number 1,600. It comes within my knowledge that from the "excess" of this regiment one new company of cavalry has been formed, commanded by Capt. Ellison S. Keitt, with a full complement of new officers, and within my information that others have been formed or are now in process of formation from the same regiment. I also learn that in the Charleston Battalion the same end is obtained by subdivisions of companies. Capt. T. Y. Simons informed me that his company had been so subdivided and a new company formed, with new officers, the ranks of both to be filled up by recruits. The like subdivisions have been made in White's battalion of light artillery, whereby the number of companies have been increased from, I think, four to ten. From one company of this battalion (Captain Johnson's) was formed a new company under Captain De Pass, and from the two still another company under Captain Richardson, the original company being thus the parent of two others. The Rutledge Mounted Riflemen has also given birth to a new company. Ferguson's battery has also sent out the nucleus of a new company under Captain Calhoun, which is now recruiting and fitting up as Company No. 2 of Ferguson's battery.

In the cavalry service the like thing has been going on. I send you an advertisement for recruits for a light battery to be attached to Colonel Keitt's regiment—a new organization out and out—published here under my nose.

It may occur to you as needing explanation how so large a number of conscripts go to companies already full and to companies organized since the 16th of April, 1862, in violation of paragraph XII, General Orders, No. 82, of 1862. The solution is in this: That whilst this order prohibits the men from volunteering in such companies, there is no order prohibiting the captains from receiving them and none requiring them when received to be surrendered on requisition to the camp of instruction. "Preferring charges" would be useless, for whilst the charges are being investigated the evil is going on;

moreover, perhaps every captain in the department would be amenable to such charges, and the commanding general might not escape, he having knowledge of and permitting these irregularities.

I write unofficially, because I have had necessarily to speak of matters of which I am not officially informed.

I trust that you will be able to give me a reply at an early day, for until a reply is received I do not wish to order out these men, and I feel that there should be no longer delay.

I have the honor to be, very truly and sincerely, yours,

C. D. MELTON.

[Inclosure No. 1.]

ENROLLING OFFICE,
Charleston, August 27, 1863.

Maj. C. D. MELTON,
Commandant of Conscripts:

MAJOR: I beg your immediate attention to the evasion of section 13, act of April 16, 1862, as well as paragraph XII, General Orders, No. 82, of 1862, which is being practiced in this department. This evasion is unjust to the old commands, who have nobly borne the main burdens of this war as well as the most of the numerous battles in Virginia. The evasion is conducted in this manner: Permission is given to officers to recruit for companies which are already full, or nearly so, and the service being near home and the prospect of immediate conscription hanging over them, recruits are easily obtained. When these companies are run up above the maximum, as allowed in act of April 16, 1862, detachments from the various companies of a regiment are formed into a company and the formula of elections is held, thereby creating more officers unauthorized by law. I earnestly hope that this injustice will not be allowed and that this communication be referred to the Department at Richmond. I would say that the army in Virginia will receive no conscripts if this unjust and pernicious system will be allowed.

I am, sir, your obedient servant,

W. W. PERRYMAN,
Major and Enrolling Officer, Second Cong. Dist. of S. C.

[Inclosure No. 2.]

Volunteers for a light battery to be attached to the command of Col. L. M. Keitt.

I have been authorized by General Beauregard to raise a light battery to be attached to the above command in service in this department. All persons who will be compelled to go into service have the opportunity of selecting their companies until the 20th of August.

This popular branch of the service affords peculiar advantages, to wit: Less exposure and picket duty than any other branch, &c.

The usual bounty will be given for recruits. All persons desirous of joining, besides those who have already joined, will report to F. H. Elmore at the enrolling office, Law Range.

D. B. DE SAUSSURE,
First Lieut., First Regt. S. C. Regular Infantry.

AUGUST 14.

RICHMOND, *September 19, 1863.*

Col. W. H. STILES,
Cartersville, Ga.:

The order was intended to include all local organizations formed for the Confederate service under Confederate law. Militia proper are not embraced.

J. A. SEDDON,
Secretary of War.

CARTERSVILLE, GA., *September 21, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War, Richmond:

Your telegram bearing date the 19th instant is received, and as I have not succeeded in making myself understood by telegraph you will pardon me, I trust, for attempting to explain myself more fully by letter.

On the 6th of June, in answer to my application for authority to raise a force of non-conscripts for the defense of upper Georgia, you did me the favor to address me the following telegram: "Raise under the law for local defense and special service and of non-conscripts as many companies and regiments as you can."

A week later, when on a visit to Richmond for the purpose, you gave me full instructions under your hand on the subject. Subsequently I received from the War Department Special Orders, No. 193, detaching me temporarily from my command "for the purpose of raising a force of non-conscripts for the protection of the upper portion of Georgia." On my return to Georgia I proceeded to raise the required force, and some fifty companies were at my instance started between Atlanta and the Tennessee line. About this time, the President having made a requisition on the Governors of the Confederate States for a similar force, Governor Brown was called on for 8,000 men from Georgia. The conflict of the two agents of the Government for the accomplishment of the same object threatening to operate injuriously to the interests of the service, I instructed all the companies I had raised to forward their muster-rolls through Governor Brown, all of which you find most fully explained in my communication of the 23d of July. When the force in this portion of the State was raised (the enemy under Rosecrans having crossed the Tennessee line into Georgia; in fact, invading the very counties in which a part of this force was raised) the Governor of Georgia called the companies into the field, and General H. C. Wayne, upon my voluntary offer to take charge of them, immediately turned over those in this immediate section to my command, and I have had them picketed out at various points to protect that great thoroughfare, the Western and Atlantic Railroad, and prevent incursions of the enemy by raids. Matters were in this state when I saw in the papers the following order:

SPECIAL ORDERS, No. 213. } ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, September 8, 1863.

* * * * * * *

XXXII. Brig. Gen. Howell Cobb is assigned to the duty of organizing at Atlanta, Ga., the militia and such of the local force from that State as have been ordered to that point by His Excellency the Governor of Georgia for service in the Confederate States.

By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

Upon this I telegraphed you to know whether General Cobb was intrusted with the organization of the entire force raised for home defense (a construction of which the order does not, it seems to me, admit), or whether the force which I was ordered by you "to raise for the defense of upper Georgia," and which it cannot be denied I was greatly instrumental in doing, and which had been thus turned over to me by Adjutant-General Wayne, was to be included under the authority granted to General Cobb. This is the point I designed to ascertain and which the telegram I have this day received from you does not sufficiently explain, viz: "The order was intended to include local organizations formed for the Confederate service under Confederate law. Militia proper are not embraced." Be pleased to inform me what are to be my relations to that force—at least that portion of it raised between Atlanta and the Tennessee line—whether after having received authority to raise the force; whether after having been greatly instrumental in raising it, and being prevented only from fear of a conflict with Governor Brown, to the injury of the service, in successfully accomplishing the object; whether I am to be intrusted with any command over it, or whether you have no longer any need for my services in this line? This is what I particularly desire to know and is the object of this communication to ascertain.

Very respectfully,

WILLIAM H. STILES,
Colonel Sixtieth Regiment Georgia Volunteers.

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
DEPT. OF TENNESSEE, ALABAMA, AND MISSISSIPPI,
Marietta, Ga., September 21, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

I inclose you herewith a copy of the field organization of this bureau for Alabama and Mississippi. You will perceive that the organization spreads over these States a net-work of organization, like a map, making it absolutely certain that men who ought to be in the service cannot long escape duty. Cast your eye over the extent of our territory and you will at once perceive how inadequate is the working force of the conscript organization to coerce the reluctant population of the country to enter the Army. To restore stragglers and deserters who are scattered and hid out all over this wide extent of territory to the Army, and to gather up the scattered conscripts, who are in most sections banded with the deserters, and are all armed for mutual protection, requires such an organization in every State in the Confederacy. These officers need and must have support to enable them to overcome resistance. For this latter purpose, viz, of supporting my officers, I have raised and mustered into the service for the war, of conscripts and non-conscripts, ready in equal numbers, about twenty companies, whom I have armed with arms I have had gathered up in the country and taken from deserters. This was done under the authority of your indorsement on the application of Lieutenant-Colonel Lay, acting chief of conscription, copies of which were furnished me through General Johnston about the time I entered upon the duty of organizing this bureau. These companies are all now actively engaged in this bureau in Alabama and Mississippi. This force is inadequate for the service scattered over those large

States, but assisted as they are by other forces of cavalry detailed by the commanders of departments, they meet present wants, except in the mountain region of Alabama, where there are not less than from 6,000 to 8,000 deserters and tory conscripts, who are as vicious as copperheads and resist whole companies of cavalry supporting force, and in several instances successfully. From this region (twelve counties) all my supporting force from General Bragg's army have been withdrawn by the active operations of the army in front of this position. Upon the examination of the inclosed programme of my field organization you will perceive a working force adequate to the work to be done, viz, to sweep over all parts of those two States and bring into the army the great number of deserters and conscripts. The deserters and absent men from the armies of Tennessee and Mississippi constitute one-half of each of those armies. I speak from the field report of those armies and therefore with accuracy. You may hence judge of the importance of this branch of the service and of the magnitude of the work to be performed by this bureau. The same working forces adequate to the work of gathering the vast mass of deserters can and do gather the scattered conscripts. The conscript law and the organization under its provisions can do but little in this great labor, spreading all over [this] vast territory. It was this conviction, explained to General Bragg, that induced this organization. It is a necessity of the condition of our armies and of the country. If the organization were extended over all the States the armies could be kept together and held up to any strength which the wants of the service might require. Without some such organization our armies will be virtually disbanded. The two organizations, that of the conscript and that of the supernumerary officers, together acting in harmony, all arresting deserters, stragglers, and conscripts, with rendezvous so arranged and located as to cover over all parts of the country, will, beyond all doubt, cure desertion and build up the armies as long as we have a population as a source of supply.

I had prepared the field programme some days since, intending to send by Colonel Blake, but having no other officer at hand competent to the duty indicated in your indorsement on Honorable Mr. Lyon's letters, and deeming that the more important service, I ordered him on that duty. If this organization is to be extended no further than is now done, the organization being now completed, I can place over the organization of each State an officer capable of carrying on the work, and I desire to take the field. I am willing to work wherever my services are deemed most important by the Government. And if the Government should order the organization extended over all the States, making those east of the Mississippi River one department, and those west of it another department, and desired my services to do it, I would cheerfully undertake it; but being kept so long out of the field and thus left in rank entirely behind everybody, it would deprive me of all hope of future rank and command, upon which my usefulness would in a great measure depend. Would it not be unjust to hold me in the position? Subject to these remarks and the determination of the Government on them, I apply to be permitted (as I have no command) to raise me a command of cavalry. If you will order General Bragg to let me have Colonel Biffle's regiment, General Johnston to let me have one other old regiment of cavalry from his army, and allow me to use Colonel Richardson's newly raised regiment, which now reports to me, I will organize them into a brigade and proceed at its head to West Tennessee, and

in a short time I will bring out a division of cavalry 5,000 strong. This is a perilous service, but if I can be allowed to command the force I may bring out I will take the risk. If you grant this application please send me the necessary order for arms, &c. I am sure Generals Johnston and Bragg will approve the measure. The conviction of the importance of this communication is my apology for its length.

With great respect, your obedient servant,

GID. J. PILLOW,
Brigadier-General, C. S. Army, Superintendent, &c.

[Inclosure No. 1.]

Field organization of Volunteer and Conscription Bureau under Brigadier-General Pillow in Alabama:

Rendezvous at Decatur, with outposts at Courtland and Somerville; at Guntersville; at Tuscumbia; at Fayetteville, with outpost at Pikeville; at Lebanon; at Camden; at Montgomery; at Selma; at Pollard; at Troy; at Mobile; at West Point, Ga.; at Marion; at Blountsville; at Livingston; at Dansborough; at Gadsden, with outposts at Cedar Bluff, Jacksonville, and Ashville; at Carrollton; at Tuscaloosa, at Eutaw; at Eufaula; at Jasper; at Newton; at Clarksville.

Talladega camp of instruction, with outpost at Elyton.

NOTE.—At each rendezvous and outpost there is a field officer with subordinate officers and supporting force of cavalry and necessary staff officers. The supernumerary branch is separate and distinct from the conscript branch, both branches acting under the same orders and on the same duty, but in different fields of labor. This results from one class of officers being permanent under act of Congress, and the other class being temporary, being detailed from the Army, both branches reporting to me and both carrying out the principles of the conscript act and the orders of the Adjutant-General in enforcing the conscript law, and both gathering stragglers and deserters, thus supplying the defects in the conscript law and the organization under it by the supernumerary organization, consisting of officers detailed from the Army.

GID. J. PILLOW,
Brigadier-General, C. S. Army, Superintendent, &c.

[Inclosure No. 2.]

Field organization of Volunteer and Conscription Bureau under Brigadier-General Pillow in Mississippi:

Rendezvous at Columbia, with outpost at Monticello; at Augusta, with outpost at Ellisville; at Brandon, with outpost at Hillsborough; at De Kalb, with outposts at Carthage, Philadelphia, and Decatur; at Macon, with outposts at Louisville, Kosciusko; at Columbia, with outposts at Starkville and Greensborough; at Okolona, with outposts at Houston and Pontotoc; at Aberdeen, with outposts at Cotton Gin and Fulton; at Grenada, with outposts at Carrollton, Charleston, and Oxford; at Pittsborough; at Paulding, with outpost at Raleigh.

Camp of instruction, Enterprise.

NOTE.—At each rendezvous and outpost there is a field officer with subordinate officers and supporting force of cavalry and necessary staff officers. At each of the rendezvous there is also one company of infantry stationed as guards for the men brought in. More than one-half of the cavalry supporting force was raised by this bureau and is

composed of companies consisting of conscripts and non-conscripts. The supernumerary branch of the bureau is separate and distinct from the conscript branch. The supernumerary branch is a unit and placed under the charge of Colonel Dowd, who reports to me. The conscript branch remains as it was before reporting directly to me.

GID. J. PILLOW,
Brigadier-General, C. S. Army, Superintendent, &c.

GENERAL ORDERS, No. 124. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, September 22, 1863.*

I. Potatoes (sweet) gathered under the tax law by commissaries and quartermasters at or within reach of places where hospitals are located will be transferred (invoices and receipts being given) to the medical officers in charge of the hospitals, to be cared for and secured against the influences of frost, &c., for the use of the sick; or farmers, when the hospitals are more convenient of access than the depots, may deliver their potatoes (tax in kind) to the medical officer in charge, taking receipts, which will be acknowledged by the tax agent.

II. The pay of surgeons (private physicians) employed under General Orders, No. 82, Adjutant and Inspector General's Office, of 1862, is increased to $6 per diem until further orders.

III. Assistant medical directors and assistant medical inspectors not being authorized, the titles will not be used.

IV. The extra pay allowed soldiers detailed for duty as commissary-sergeants by the act of Congress approved May 1, 1863, will be paid upon the muster and pay rolls of the companies to which they belong by the quartermasters charged with the duty of paying troops.

By order:

S. COOPER,
Adjutant and Inspector General.

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT, BUREAU OF CONSCRIPTION,
Richmond, Va., September 22, 1863.

Commandants of conscripts for the several States will report as soon as practicable, and at the utmost before the 15th of October next, the number of men exempted from military service in the Confederate States, the causes of such exemptions, the number detailed in their States before assignment, and the number of assignments. As accurate a report as possible will be made and a copy retained for a future extension of a report upon the same matter.

By order of Col. John S. Preston, superintendent:

P. N. PAGE,
Captain and Assistant Adjutant-General.

CIRCULAR.] BUREAU OF CONSCRIPTION,
Richmond, September 23, 1863.

For the purpose of detecting the parties engaged in signing fraudulent papers, and of ascertaining the names of principals whose substitutes have become liable to service on their own account, the

Adjutant and Inspector General has called for the necessary reports from commanders of regiments, &c., of the Army.

To assist, as far as possible, in accomplishing the desired result, the commandants of conscripts for the different States will direct the enrolling and other subordinate officers under their command to forward to this office, through the proper channels, without delay, every substitute paper presented to them. They will make every effort to collect all the papers that have been issued, whether previously passed upon or not, and will thoroughly canvass their respective districts for this purpose. Early attention and vigorous action are demanded. The parties furnishing the papers should be furnished with certificates by the enrolling officer, bearing on their face the fact that such papers have been taken from them, and for what purpose. These certificates should be renewable at stated periods. After investigation, the discharges will be returned as correct, or the parties ordered to be enrolled as conscripts. Every effort will be made by the Bureau to conduct the investigation with the least possible delay, that the matter may be satisfactorily and definitely settled. It is not intended to interfere violently with any principal whose discharge has been recognized as valid, but an examination of the papers is absolutely necessary for the formation of an intelligent and correct opinion concerning the extent of the frauds, and for the detection of the parties engaged therein.

By order of Col. John S. Preston, superintendent:

P. N. PAGE,
Captain and Assistant Adjutant-General.

MARIETTA, *September 25, 1863.*

His Excellency JEFFERSON DAVIS:

I have the pleasure to acknowledge the receipt of your two very kind and complimentary letters of 12th instant, and to return my thanks for the manner in which you have been pleased to allude to the prompt and patriotic response made to your late call by the people of this State, and for your expression of approbation of my individual efforts to serve our noble cause by furnishing the troops required of the State. Georgia has never failed to respond to your call for volunteers, and I trust she never may while this cruel war is waged upon us by our unnatural enemies. While I highly appreciate your kind invitation to visit you, that we may confer about the best means for the defense of the State, I regret to inform you that heavy press of office business will deny me that pleasure for the present. As the late splendid victory which the army under the command of General Bragg has won upon the bloody fields of Chickamauga—"the stream of death"—has driven the enemy from the soil of this State, an interview is less important than it might otherwise have been. There are several matters, however, upon which I should be very happy to have the privilege of a personal exchange of opinions, and I trust it may be in my power at no very distant day to meet you in Richmond. The organization of the Home Guards into regiments progresses finely under Maj. Gen. Howell Cobb. I shall continue to render him all the assistance in my power. I know of ten regiments which have responded to my late call and are now in camp, most of them near this place. Part of these have not embraced the upper part of the State in their muster-rolls, but they have waived that and responded.

Other organizations in other sections of the State await a call within the limits which they have undertaken to defend.

In this connection I beg to call your attention to the fact that the men who compose these organizations in this State are the reserved population, and nearly all belong to the productive class. Their crops will soon be ready to gather, and their wheat must be sown at the proper time or we cannot expect a harvest next summer. In my humble judgment the provision question is now the great question in this struggle, and it is a matter of the utmost importance that the agricultural interests be stimulated in every way possible. Again, at the end of six months for which these troops have volunteered it may be very necessary to get them to extend the time of service. I therefore respectfully suggest and urge that they be sent back to their homes at the earliest day when the enemy ceases to threaten the early invasion of the State, with orders to hold themselves in readiness to respond at a single day's notice to a call for service in case of future invasion or in imminent danger of it. This would produce a very fine effect, and would cause them in future to respond with alacrity and promptness. Many of them fear that they are to be kept constantly in service for six months, and feel that in that event their home interests would be ruined, and they would fail to make a crop next year. If General Bragg's victory is as complete as it is now believed to be, I trust you will direct General Cobb to disband them immediately, subject to his call when again needed. Let them understand that the Government is determined to keep good faith with them and make citizen soldiers of them; in other words, soldiers only in emergencies, and my opinion is they will continue to volunteer; otherwise at the end of their term they will refuse to re-enlist.

Very respectfully, your obedient servant,

JOSEPH E. BROWN.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., September 26, 1863.

Hon. COLIN J. MCRAE,
Commissioner, &c., Paris:

SIR: After longer delay than I had anticipated, resulting from the engrossing duties cast by recent events on the President and the Department, the plan which in my last I suggested as likely to be adopted, to remedy the embarrassment resulting from the conflicting demands and dissensions of the several purchasing agents of the Department abroad, has been consummated. With this you will receive a copy* of an arrangement proposed, at the instance of the President, by Mr. Benjamin, Secretary of State, to the Secretaries of the Treasury and Navy and myself, and approved by all, for the future management of the financial disbursements of each abroad. By that you will observe you are made the sole agent for the disposition of securities, and likewise empowered, in case of need, to make apportionment of funds at command among the different agents of this Department. It is not intended to dispense with the general direction and control by the Department here of the funds which it may have at command (whether obtained by drafts from the Treasury, or by the exportation and sale of cotton abroad), but when funds may not have been appropriated by such drafts, or by specific instructions, or when superior pressing needs may, in your judgment, exact some

*Not found as an inclosure.

modification or diversion of funds so appropriated, to repose in your sound discretion the duty of either apportioning them, or of temporarily changing the directions which may have been given from here. There are few persons to whom I, as the head of this Department, would have been willing to impart this power; but knowing the difficulty, at this distance, of anticipating the changing state of our financial affairs, and the most pressing need of the different agents, I congratulate myself on having one to whom I can satisfactorily confide the duty of judging and meeting the varying contingencies. I do not doubt the wishes expressed from here, or shown by the different requisitions made, will always have from you due consideration and compliance, and that deviation from them will always be dictated by controlling considerations, which would have, doubtless, changed my own judgment. So entirely satisfied am I to rest the matter on your discretion, that, but for some impediments caused by existing legislation here, I should commence the new arrangement by at once sending you the whole amount that the Treasury can spare me in one draft, and by directing the proceeds of all cotton sent by the Department to be placed by Messrs. Fraser, Trenholm & Co. to your credit, the whole to be apportioned by you among the agents of the different bureaus, according to your judgment of the most pressing demands.

As you are aware, however, the appropriations of Congress are not made directly to the Department, but for the disbursements of the several bureaus, and consequently the drafts have to be made on each separately, out of its peculiar appropriation. This applies, too, to the proceeds of the cotton forwarded, for, Congress not having made any appropriation for the purchase of cotton generally by the Department, the purchases have been made for each bureau with the funds provided out of its specific appropriation. This state of things, while it explains the necessity of the several drafts, and the different credits required on the cotton, will likewise enforce the propriety, as a general thing, of maintaining to the respective bureaus the funds belonging to each, since any diversion is like transferring an appropriation from one bureau to another, which requires, as you will recollect, the authority of the President himself.

Under the apportionment which has been made here of the funds at present to be commanded from the Erlanger loan between the different departments, some £262,500 have been placed at the disposition of this Department. I have directed an apportionment of this amount to be made among the different bureaus of the Department according as I conceive their existing needs, and each will send you a draft for its quota, which you will dispense to the respective agents as their transactions may require. The cotton forwarded having been purchased, as explained, with the funds of the respective bureaus, will, when sold by Messrs. Fraser, Trenholm & Co., or when sold by special contractors, as in the case of Messrs. Collie & Co., if there be a balance on account, be placed to your credit, to be applied to the transactions of the agents of the bureaus by which the respective lots have been purchased and sent.

Abstracts of all contracts which have been made by the respective bureaus will be forwarded to you, and the orders sent to the different agents will, from time to time as received by them, be submitted to you, and thus you will have at a glance all the liabilities and needs of the Department, and control over the funds to meet them.

In one respect some deviation from this system is inevitable. Running steamers to the islands, the expenses incurred by them have to be

met there by drafts, and sometimes it happens that special purchases, for which the bureau ordering cannot wait a return from Europe, have to be made there. To meet these, drafts have to be drawn there either by Mr. Norman S. Walker, at Bermuda, or Mr. Heyliger, at Nassau (commercial agents and likewise depositaries of the Treasury), on the cotton forwarded to Messrs. Fraser, Trenholm & Co. These drafts it is necessary should be honored, and you can direct Messrs. Fraser, Trenholm & Co., according to the advices forwarded them of the purposes for which they are drawn, to charge them against the proceeds of the cotton sent by the respective bureaus. There is the less objection to this, as the drafts on account of the steamers are in the nature of charges for forwarding, and purchases, when made at the island, are only for pressing necessities.

Among the liabilities of the Department, those accruing, or which may be contracted for steamers, are most embarrassing to adjust. These steamers are indispensable to convey cotton (our surest reliance for funds abroad), and they are used for all the bureaus. Yet, from the manner in which the business originated and has grown up, all the steamers (except under the Collie contract, which was made directly by Mr. Mason for the Department) appear to be owned or contracted for by the Ordnance Bureau. The expenses, too, have, in the first instance, to be borne out of the funds of that Bureau. For the present the matter must rest so, as until Congress meets no change can be made; but I shall endeavor to rectify it by requiring the other bureaus here participating to make some allowance to the Ordnance Bureau in replacement of its funds, and I merely mention it to show that if you have to apportion proceeds of cotton sent, some account ought to be taken of these charges in favor of the Ordnance Bureau. The steamers are much needed, and, as funds allow, many more ought to be acquired.

I commend this especially to your consideration. If I had at command twenty of a proper class I could probably render the Department independent of all foreign loans, and even aid the Treasury in rectifying the expansion of its paper currency here.

I am anxious that the engagements made for the Collie steamers should be carried out, both because the faith of the Department is pledged and because I am satisfied it must result to the decided advantage of the Department.

I regretted to perceive in an extract sent to me from a communication of yours to the Secretary of the Treasury that you had misconceived its character and effects. Had Major Huse carried out instructions he received, and aided instead of thwarting the enterprise, the Commissary Department would, through its agency, at this time have been relieved from its most pressing anxiety for subsistence stores. That Bureau (the Commissary-General's) relies mainly on that line of steamers, and is so well satisfied, both of the energy and ability of the contractors and of their means, that it will direct the larger portion, if not the whole, of its quota of the Erlanger loan to be applied by Mr. Crenshaw to the execution of that contract and the forwarding of supplies. The Quartermaster-General, too, regards it with favor, and looks to it to materially aid in the conveyance of stores for his use.

I feel satisfied of the character and energy of Mr. Crenshaw, and am only solicitous that the faith of the Department be observed with him. I wish, however, all the steamers of the first class for running the blockade that you, with our limited resources, can manage to purchase or to engage on fair terms to take out cotton for the Department.

Of the securities redeemed by you there are $2,000,000 of 8 per cent. bonds which, having been drawn and charged in the Treasury against the Ordnance Bureau, belong to that Department. They have been ordered back here, as Colonel Gorgas informs me. That, I think, would be a mistake. There is no occasion to expose them to the risk of being lost or destroyed when, in all probability, before long you may be able to dispose of them on terms far better, in view of the value of exchange, than they would command here. If not sent forward, I recommend their retention, to await further orders and contingencies.

I feel sanguine that the darkest hour of our trouble has passed, and that with coming victories, following on the glorious deeds of Chickamauga, there will be full assurance of our credit and final triumph.

Very cordially, yours,

JAMES A. SEDDON,
Secretary of War.

GENERAL ORDERS, No. 125. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, September —, 1863.*

I. Information having been received of repeated misconstructions and violations of paragraph XII, General Orders, No. 82, 1862, it is reiterated that no persons liable to conscription will be permitted under any circumstances to volunteer in regiments, battalions, or companies organized since the 16th of April, 1862, except such as were organized under the provisions of the act of Congress of that date, entitled "An act further to provide for the public defense."

II. No authority exists for organizing new companies out of companies or portions of companies now in service.

III. It shall be the duty of commandants of conscripts, on information of persons being received into companies contrary to the provisions of this order, to make immediate requisition for such persons on the officer commanding, and on failure of the officer to return the persons so received to the camp of instruction, the commandant shall report the matter, with the facts of the case, to the Bureau of Conscription, to be decided by this department.

IV. No officer commanding whose company reaches the maximum allowed by regulations shall be permitted to receive recruits, either as volunteers or in any other form.

V. No officer commanding shall accept or muster in persons of conscript age, unless such person shall first exhibit a certificate approved by an enrolling officer, stating that he has volunteered and selected his company, which company is allowed to receive recruits.

VI. The Bureau of Conscription is charged with the establishment of such regulations as will enforce this order.

VII. Paragraph I, General Orders, No. 122, September 11, 1863, is so modified as to read as follows:

Commanding officers of regiments, battalions, &c., will immediately on receipt hereof cause to be made out and forwarded through proper channels to Col. J. S. Preston, chief of the Bureau of Conscription, a complete list of all persons received as substitutes in the Army in their respective commands. The list will embrace the regiment, company, date of enlistment, and age of each substitute, with name, post-office, and date of enlistment of the principal. It will also state whether the substitute is now serving, or has died or been

killed while in or discharged from service, or whether he has deserted, with the date and circumstances of death, discharge, or desertion. They will also, in the same manner, furnish a monthly roll of all deserters and absentees without leave. This roll will be arranged according to the county and Congressional district to which the parties belong, and will set forth the time and place of desertion in each case.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 126. } *Richmond, September 28, 1863.*

I. In order to avoid all difficulty with respect to payment of officers absent from their commands, and who have not received commissions or letters of appointment, it is ordered that all such officers shall, before leaving their companies, be furnished with a transcript from the muster-rolls, or a certificate in lieu thereof, as may be convenient, setting out the full name, rank, and date thereof of such officer, and that he is borne on the muster-roll as such. These transcripts or certificates will be signed by the commanding officer of the regiment and company, and will be equivalent with the pay officer to the commission or letter of appointment referred to in paragraph I, General Orders, No. 121, of 1863. This provision, however, is not designed to dispense with the requirements of General Orders, No. 28, paragraphs II and III, current series.

II. Paragraph I, General Orders, No. 116, Adjutant and Inspector General's Office, is so modified as to read as follows:

Generals or other officers commanding departments, armies in the field, posts, or garrisons will cause all deserters, stragglers, or other absentees from duty, and all persons liable to military service, found within their lines and not belonging to their command, to be forthwith arrested and turned over to the nearest enrolling officer, whose duty it shall be to forward such absentees to their proper commands; or in case of conscripts, to assign them to service at the discretion of the commandant of conscripts of the State.

By order:

S. COOPER,
Adjutant and Inspector General.

RICHMOND, *September 28, 1863.*

Maj. RICHARD P. WALLER,
Quartermaster, C. S. Army, Nassau, New Providence:

SIR: Your letter of the 10th has just been received. That of the 18th ultimo came to hand after some delay. Your recent communication to Lieutenant-Colonel Cone, in charge of the depot at this point, has also been submitted to me. In all of these you represent that with proper facilities in the way of funds you can purchase at Nassau, on reasonable terms, valuable army supplies, to wit, some 25,000 or 30,000 blankets, 20,000 to 25,000 pairs of shoes, and a large

quantity of flannels and grey cloth, besides other material of less importance.

I would not select Nassau under ordinary circumstances as a point at which to make purchases, and I do not propose that you shall go upon the market further than the pressing necessities of the service require. Europe, of course, offers better terms, but in view of the approaching cold weather, the great scarcity of stores here, and the unfortunate loss of the valuable cargo of the steamer Hebe, I am constrained to resort for the present to the nearest point of supply to save time. You will therefore arrange to purchase supplies to the extent of the means promised, giving the preference to such articles as are most needed—blankets, shoes, and heavy material for overcoats.

I have delayed a few days writing to you that I might give you positive assurance of the early receipt of some cotton. Major Winnemore reports nearly 1,000,000 pounds of cotton purchased for you, one-half of which is now in Wilmington and the balance can be delivered there at any time on the call of Mr. Seixas. Major Bayne, the officer in charge of the sea transports, engages to deliver to you at Nassau within thirty days from this time 500 bales, and 500 more as soon thereafter as possible, not exceeding sixty days from this time. I also forward an order on Mr. Heyliger for the proceeds of the 300 bales sent out some time since on account of this Department. The funds thus received will enable you to purchase the supplies you have mentioned, and should you even be confined to the cotton promised from here, you will have the means to replace more than double the cargo of the Hebe. To save, what is so important, time, you will use your best endeavors to purchase immediately on the receipt of this, and on the faith of the cotton to be sent out, the supplies needed. You will find no difficulty, I understand, in procuring freight to Wilmington should no facilities offer in a Government steamer. If compelled to ship by a chartered vessel, stipulate, if you can, for the payment of freight here, out of your reserved cotton, at 6 pence per pound, and so economize your funds.

In shipping cotton to you I have to rely entirely upon the space allotted to the Government in private vessels. All cotton carried by the Collie Line is consigned by the terms of the contract under which the steamers run to Collie & Co., of England, and the Government steamers proper are devoted exclusively to the service of the Ordnance and Medical Departments.

I desire that you will make immediately upon the receipt of this a report, somewhat in detail, of what you feel confident of accomplishing, stating the character and quantity of supplies at Nassau, the market price thereof, and other matters that will enable me to judge fully of the condition of things with you. I will then instruct you further respecting your return, or a visit to Bermuda. As under this arrangement the Government has the outward risk on the cotton and the inward risk on the cargo, prices should not be materially in advance of those ruling in England. Be particular to furnish me with full information touching the manner in which shipping is conducted, both on Government and individual account, so far at least as the same may affect in any way the interests of this department.

A. R. LAWTON,
Quartermaster-General.

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT, BUREAU OF CONSCRIPTION,
Richmond, Va., September 28, 1863.

The Congress of the Confederate States will meet on the first Monday in December. Rigid examinations into the administration of the conscription laws by the agencies of this Bureau will be ordered. The minutest information will be demanded. Circulars have been issued calling for reports from commandants concerning various specific matters and on the general subjects of their duties. Inspecting officers have been sent to investigate the condition of the commands, and the results of the operations within them, and as far as practicable to ascertain and remedy defects which may exist either in the system or its administration. Up to this time the returns of such information as has been called for by this Bureau, and will be demanded by Congress, have been extremely meager. In view of the grave public interest dependent on accurate information relative to matters intrusted to this Bureau, the superintendent now requires of the commandants of conscripts of the States of Virginia, North Carolina, South Carolina, and Georgia, as early as practicable, and not later than the 1st day of November, to make full and minute reports concerning all matters submitted to them since the 1st of May, 1863. Care will be used to embody these reports in plain and easily intelligible forms, suitable for reference to and file in the War Department; and copies will be kept for future current additions or emendations. Attention is called to the matter:

First. Number of exemptions under the law, and the number of each class, with their localities.

Second. Number of details, and the purposes of the details.

Third. The police and production of the country, and the number of exemptions granted connected with these purposes, and the number of overseers exempted on payment of the tax.

Fourth. The matter of circulars of 11th and 19th of August and 5th of September, 1863.

Fifth. A full report of substitutes received at camps of instruction.

Sixth. How many conscripts have been enrolled, how many exempted, the causes of exemption, and how many have been placed in the field.

Seventh. Exact condition of the service, embracing names, rank of officers, and number of persons engaged on conscript service, and the arrest of absentees, &c.

The superintendent expresses full confidence in the diligence, ability, intelligence, and patriotism of commandants, and cannot too strongly impress upon them the importance to the public service of their earnest attention to the matter of this circular. Much is left to their discretion, and it is hoped they will execute the duty without the necessity of further instruction.

By command of Col. John S. Preston:

P. N. PAGE,
Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., September 28, 1863.

Brig. Gen. G. J. PILLOW,
Marietta, Ga.:

GENERAL: I have received and considered your recommendation that deserters from Alabama regiments in General Bragg's army be

sent to the Army of Northern Virginia. Much depends upon the circumstances of the several cases. Those who have been assigned from conscript camps to companies under General Bragg, and have returned to their homes while still recruits, may with propriety be transferred to companies serving at a distance; but, as a general proposition, it would be injurious, and even offensive, to have the army made a general receptacle for offenders. Under the limitations indicated above transfers as proposed are approved. These views have the sanction of the President.

Respectfully,

JAMES A. SEDDON,
Secretary of War.

HEADQUARTERS STATE TROOPS,
Atlanta, September 28, 1863.

General S. COOPER,
Adjutant and Inspector General, Richmond, Va.:

GENERAL: I have organized, armed, and put in the field five regiments and two battalions of infantry, three regiments and three battalions of cavalry, and two legions composed of both infantry and cavalry with a battery of artillery attached to one of them. A few companies yet remain unattached and others are expected to report within a few days. The imperfect reports which have been made from these organizations render it impossible to state their effective strength; it will not, however, fall far short of 5,000 men. You are aware that only those companies whose territorial limits include Atlanta and the points between here and Chattanooga, have been ordered out, whilst a few others have responded to the call of the Governor and volunteered to go beyond their territorial limits and have accordingly reported here at this time. The whole number returned on the muster-rolls to the Governor approximates 15,000. From my experience in organizing these troops I think it unsafe to rely upon a larger number than 10,000 when the whole force of the State is called into the field; indeed, it is more apt to fall below that number than to exceed it. The reason of the falling short of the effective force is manifest.

First. The detail of one-sixth of the companies authorized by the Governor is of itself a very great reduction. I do not allude to it in any spirit of complaint, for I regard the measure both prudent and wise for the reasons given by the Governor.

Second. The large number of infirm men, who have to be discharged almost as soon as they arrive.

Third. The large number, especially among the drafted men, who have failed to report when called out. Efforts are being made to get these men into camp; with what success remains to be seen.

I confess that I have been disappointed in the strength of this force. At the time I telegraphed the President on the subject of arms I confidently looked for a larger number of troops. I have found great difficulty in organizing these troops into regiments, from the infinite variety of territorial limits which different companies had selected. To have followed literally your instructions of putting in the same regiment or battalion those who had selected the same limits would have resulted in the organization of numberless small battalions. You will observe that Governor Brown in his call for these troops had fixed the minimum number of a company at forty, rank and file.

To have changed it after the men had organized their companies and reported at their places of rendezvous would have created great dissatisfaction with the troops and given mortal offense to the Governor, who seemed to be making every effort to respond efficiently to the call of the President. Under these circumstances I determined to receive these companies organized as they were, and to avoid the evil, as far as practicable, by having nothing smaller than regimental organizations. To do so I have thrown into the same regiment companies having different territorial limits, and by personal appeals have induced the most of the companies to waive their territorial limits. Though attended with difficulty, and requiring personal addresses to the men, I have succeeded in almost every effort I have made. Hence it is that I am enabled to report that all the troops who have arrived at this point are now in regiments or large battalions, soon, I hope, to be raised to regiments. To have respected throughout the territorial limits of the different companies would have been in effect to have made these State troops utterly useless, except for the most strictly local defense. As an army organization they would have been an incubus; as it is I have been able to respond, as I informed you by telegraph, to the only call which has so far been made upon me by General Bragg. In a few days I hope to have an efficient force of 3,500 men, under the command of Brig. Gen. Henry R. Jackson, at Rome, and other points in that section of the State deemed important by General Bragg to be garrisoned. The remaining portion of the State force which has been organized is rendering good service at this point and in different sections of the State, particularly between here and Chattanooga, in arresting and returning to the Army stragglers and deserters.

The question of calling out the remaining portion of the State troops is respectfully submitted for your consideration. But for the fact that their territorial limits do not embrace either this point or the region of active operations, I should have called them out as soon as I discovered that the number now called out would fall so far below our calculations. If I could see them in person, which is impracticable, I might induce them, as I have those here, to give up their limits. Without this we have no use for them at this time, unless we should call for those who include Savannah, and by sending them to that point be enabled to withdraw that number of the force there, to re-enforce General Bragg's army.

On the subject of brigade and division organizations I beg leave to submit that, in my opinion, there never will be at any one time in the field a sufficient number of these State troops to require any division organizations. I would also submit for your consideration that in lieu of brigade organizations it would be better to make a territorial division of the State into two districts. A brigadier-general for each of these districts, with a major-general commanding the entire force, is all that would be required to handle the whole force in the most efficient manner. It might occasionally and temporarily devolve the duties of a brigadier-general upon some senior colonel. If active operations should be going on in only one district, both brigadier-generals could be ordered for duty to that district, and one be placed in command of the infantry and the other of the cavalry; whereas, if active operations should be going on in both districts, each could remain in his own district, and, with the assistance of experienced colonels, handle the troops of his district without difficulty. When you reflect upon the embarrassments growing out of this question of

territorial limits, which the law unfortunately permitted, you will see that the difficulties I encountered in making regimental organizations will be greatly increased when it is attempted to throw these regiments into brigades. The solution of this difficulty, to my mind, is easy and natural by the adoption of the suggestion I have made, to substitute a division of the State into two military districts for State-troop purposes.

I ask your indulgence, general, to submit two other matters in connection with the subject of State troops, which should receive the early and earnest consideration of the Government, if this force is to be relied on in the future for active and efficient service.

First. These territorial limits should be abolished. It is unfortunate that such an idea was ever acted upon. The men would have volunteered as readily for the whole State as for restricted limits; if not, it would have been better to have obtained a smaller force by draft. I cannot too strongly impress upon your mind the importance of doing away with these limits. They are the fruitful source of trouble and can possibly do no good.

Second. The temporary character of these troops, being called out only for six months, is another embarrassment to be overcome by some new legislation. By the time they are efficiently organized for the field their term of service will expire, and if unconditionally disbanded will render necessary another organization of them when again called into the field. I am aware that such is the character of these troops that they should not be kept permanently in the field. Indeed, they should be kept there as short a time as possible; yet the organization should be permanent, so that their services, when needed, could be commanded at once without incurring the trouble and inconvenience of new organizations at each recurring emergency. To effect this object I suggest that Congress should enact that all men between the ages of sixteen and sixty should be called into the military service of the country; those between eighteen and forty-five to be placed in the permanent Confederate Army, as is the case at present, the others to be a reserve force to be called into active service when the emergency requires it and to be employed in their own States, respectively. This would not materially change the present status of men or the character of their service, but would render this reserve force far more reliable and efficient. I enter into no details, but submit simply the outline of a programme.

I am, general, very truly, yours,

HOWELL COBB,
Major-General, Commanding.

RICHMOND, *September 28, 1863.*

Maj. T. L. BAYNE,
In Charge of Steamers, Richmond, Va.:

SIR: I forward herewith an order on Mr. Heyliger, in favor of Major Waller, quartermaster, now at Nassau, for the proceeds of the 300 bales of cotton shipped some time since to that point on account of this department. As you have assured me that 500 bales should be delivered at Nassau on account of the Quartermaster's Department within thirty days from this date and 500 more in not exceeding sixty days from this time, I have so informed Major Waller, and have requested Mr. Heyliger to turn over to him the proceeds thereof. As

the loss of the Hebe with her cargo, made up almost exclusively of quartermaster's stores, and the approaching cold weather have greatly increased the necessities of this department, you will please take such steps as will secure the delivery at Nassau, at the earliest practicable day, of the cotton referred to.

A. R. LAWTON,
Quartermaster-General.

[Inclosure.]

RICHMOND, *September 28, 1863.*

MR. L. HEYLIGER,
Agent Confederate States, Nassau, New Providence:

SIR: Major Bayne informs me that 300 bales of cotton were shipped on account of this department not long since to Nassau. Should the same not have gone forward to Europe, you will please deliver, on the receipt of this, the proceeds thereof to Maj. Richard P. Waller, quartermaster, now at Nassau, that he may purchase supplies essential to this department. If the cotton has even gone on, as no one has been yet designated to receive the proceeds there, under the new arrangement agreed upon by the different departments, you may be able to draw for the same yourself. In that event you can give Major Waller the benefit of the fund.

Major Bayne has also assured me that at some early day, within the next thirty, he will place at Nassau 500 bales of cotton on account of this department and 500 more in the course of sixty days from this time. You can dispose of the proceeds from both of these lots in favor of Major Waller also, and I will thank you to extend to him all the facilities you can in connection with his operations, as the approaching cold weather and the unfortunate loss of the Hebe make it of the utmost importance to obtain without loss of time the supplies he has been instructed to buy.

A. R. LAWTON,
Quartermaster-General.

GENERAL ORDERS, No. 127. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, September 29, 1863.*

In view of the importance of pressing the home production of niter, the workmen in exposed districts will be called from their work for local defense only in cases of extreme military urgency, and then only by the general commanding the district by an order to the officer in charge.

In the niter districts lately overrun the workmen will be returned to their work, and all reasonable facilities for resuming operations will be extended by military officers.

By order:

S. COOPER,
Adjutant and Inspector General.

HEADQUARTERS STATE TROOPS,
Atlanta, September 29, 1863.

General S. COOPER,
Adjutant and Inspector General, Richmond, Va.:

GENERAL: I submit for the decision of the department the proper mode of filling vacancies in the companies and regiments of the State

troops. Governor Brown insists with great earnestness that all vacancies should be filled under the State laws. He discriminates between these troops and those in the regular Confederate service, and claims that vacancies, including field officers, should be filled by election, as required by the laws of the State. Whilst I am utterly opposed to all elections in the Army, and regard them as the fruitful sources of trouble, I would recommend, if consistent with the President's view of the law, that the concession should be made and the vacancies be filled under the laws of the State. It is an evil, I know, but perhaps a lesser one than a conflict with the State authorities on the point.

The services of these troops is temporary as at present organized, and the evil can be borne with. If, however, the recommendation I have made of making this organization a permanent one should be adopted, I should consider it important for the service to get rid as far as possible of all elections.

As the question is constantly arising I should be pleased to receive instructions on the subject at an early day.

I am, general, very respectfully, yours, &c.,

HOWELL COBB,
Major-General, Commanding, &c.

CONFEDERATE STATES OF AMERICA, DEPT. OF STATE,
Richmond, September 30, 1863.

Hon. J. A. SEDDON,
Secretary of War:

SIR: I return herewith the telegram inclosed to me in your note of this morning. I can conceive no reason why the property of a neutral within our territory should enjoy higher exemption from impressment than the property of our citizens. I understand that impressment is only resorted to when the necessities of the public defense require the use of private property, and that a fair price is given for such property when impressed. Under these circumstances it appears to me quite inadmissible that a neutral should pretend to claim any special exemption, and such appears to have been the opinion of the British Government, even with regard to the destruction of neutral property when necessary to prevent the enemy's capture of it. Foreign residents under the law of nations are not entitled to any higher protection during war than the subjects of the belligerent within whose territory they reside.

I am, very respectfully, your obedient servant,

J. P. BENJAMIN,
Secretary of State.

[Inclosure.]

SAVANNAH, *September 30, 1863.*

Hon. J. A. SEDDON,
Secretary of War:

Having been notified by the military authorities here of their intention to impress a quantity of timber, the property of citizens of France and Bremen, whom I represent, I request you to order them by telegraph to desist from such a proceeding.

A. FULLARTON.

GENERAL ORDERS, No. 128. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., September 30, 1863.*

I. The following schedule of prices for articles named therein, adopted by commissioners appointed pursuant to law for the State of South Carolina, are announced for the information of all concerned, and the special attention of officers and agents of the Government is directed thereto:

II. Schedule of prices established by the Board of Commissioners of the State of South Carolina, under the act of Congress of the Confederate States "to regulate impressments:"

Articles.	Quality.	Description.	Quantity.	Price.
Apples, dried	Good.	Peeled	Per bushel of 28 pounds	$3.00
Do	do	Unpeeled	do	2.00
Axes	do	With handles	Each	5.00
Do	do	Without handles	do	4.00
Bacon	do	Sides	Per pound	.75
Do	do	Hams	do	.70
Do	do	Shoulders	do	.65
Do	do	Jowls	do	.40
Beans	do	White or corn-field	Per bushel	3.00
Brandy	do	Apple	Per gallon	4.00
Do	do	Peach	do	5.00
Beef	do	Fresh, net	Per pound	.25
Do	do	Salt or corned	do	.50
Beef-cattle	do	Gross	do	.18
Candles	do	Tallow	do	1.00
Chains	do	Trace	Per pair	2.50
Cloth	do	Woolen, for soldiers' clothes, ¾ yard wide, 10 ounces to yard, and pro rata as to greater or less weight or width.	Per yard	4.00
Coffee	do	Rio	Per pound	3.00
Corn	do	Unshelled	Per bushel of 70 pounds	1.95
Do	do	Shelled, sacks not included	Per bushel of 56 pounds	2.00
Corn-meal	do	Sacks not included	Per bushel of 50 pounds	2.00
Drills	do	Cotton, ¾ yard wide, 3 yards to pound	Per yard	.65
Flour	do	Extra family	Per barrel of 196 pounds	22.00
Do	do	do	Per sack of 98 pounds	11.00
Do	do	Superfine	Per barrel of 196 pounds	20.00
Do	do	do	Per sack of 98 pounds	10.00
Do	do	Fine	Per barrel of 196 pounds	18.00
Do	do	do	Per sack of 98 pounds	9.00
Fodder	do	Baled	Per 100 pounds	2.50
Do	do	Unbaled	do	2.00
Hats	do	Wool	Each	3.25
Hay	do	Baled	Per 100 pounds	1.50
Do	do	Unbaled	do	1.25
Hogs	do	Net	Per pound	.35
Do	do	Gross	do	.25
Hides	do	Dry	do	1.25
Do	do	Green	do	.50
Horses	do	Artillery, first class	Per head	500.00
Do	do	Artillery, second class	do	400.00
Iron	do	Pig	Per ton of 2,240 pounds	85.00
Do	do	Square or round	do	350.00
Do	do	Flat or band	do	320.00
Do	do	Hoop	do	440.00
Do	do	Boiler plate	do	500.00
Do	do	Serviceable railroad	do	175.00
Do	do	Unserviceable railroad	do	75.00
Jeans	do	Wool, domestic	Per yard	4.00
Kettles	do	Camp, iron	Each	5.00
Lard	do	Clean	Per pound	.75
Leather	do	Sole	do	2.50
Do	do	Upper	do	3.25
Do	do	Harness	do	3.00
Molasses	do	Cane	Per gallon	5.00
Do	do	Sorghum	do	3.00
Mules	do	First class	Per head	400.00
Do	do	Second class	do	350.00
Do	do	Third class	do	250.00
Oats	do	Sheaf, unbaled	Per 100 pounds	2.00
Do	do	Sheaf, baled	do	2.50
Do	do	Shelled	Per bushel of 34 pounds	1.50
Osnaburgs	do	Cotton, ¾ yard wide, 7 ounces to yard	Per yard	.60
Do	do	Cotton, ⅞ yard wide, 8 ounces to yard	do	.70

Articles.	Quality.	Description.	Quantity.	Price.
Peas	Good	Cow	Per bushel of 60 pounds	$2.00
Potatoes	do	Irish	do	2.00
Do	do	Sweet	do	1.00
Peaches, dried	do	Peeled	Per bushel of 38 pounds	5.00
Do	do	Unpeeled	do	3.00
Pork	do	Fresh	Per pound	.35
Do	do	Salt	do	.55
Pasturage	do	Cattle and horses near city	Per head per month	3.00
Do	do	Interior	do	1.50
Rice	do	New	Per pound	.15
Do	do	Old	do	.12
Rye	do	Good	Per bushel of 56 pounds	2.50
Sacks	do	Two bushels, Osnaburg	Each	1.00
Shirting	do	Cotton, ¾ yard wide, 4½ yards to pound	Per yard	.50
Do	do	Cotton, ⅞ yard wide, 3¾ yards to pound	do	.60
Cotton stripes	do	3 yards to pound	do	.75
Salt	do	Coast	Per bushel of 50 pounds	15.00
Do	do	Liverpool	do	30.00
Shoes	do	Army	Per pair	8.00
Shoe thread	do	Flax	Per pound	3.00
Socks	do	Soldiers', wool	Per pair	1.25
Sheep	do	Fat	Per head	15.00
Sugar	do	Brown, common	Per pound	.90
Do	do	do	do	.80
Soap	do	Hard	do	.40
Do	do	Soft	do	.20
Shucks	do	Baled	Per 100 pounds	1.50
Do	do	Unbaled	do	1.25
Tea	do	Black	Per pound	5.00
Do	do	Green	do	7.00
Tent cloth	do	Cotton, 10 ounces to yard	Per yard	.90
Tallow	do	Clean	Per pound	.80
Vinegar	do	Cider	Per gallon	1.00
Do	do	Manufactured	do	.75
Whisky	do	Good	do	4.00
Wheat	do	First rate, white	Per bushel of 60 pounds	4.00
Do	do	Fair	do	3.50
Do	do	Ordinary	do	3.00
Wheat straw	do	Baled	Per 100 pounds	.60
Do	do	Unbaled	do	.50
Wool	do	Washed	Per pound	3.75
Do	do	Unwashed	do	3.00
Wagons	do	Wood axle, 4-horse, new	Each	250.00
Do	do	Iron axle, 4-horse, new	do	300.00
Do	do	Wood axle, 2-horse, new	do	175.00
Do	do	Iron axle, 2-horse, new	do	225.00
Yarn	do	Cotton	Per bunch of 5 pounds	6.00

Hire of labor, teams, wagons, and horses.

Description.	Quantity.	Price.
Baling long forage	Per 100 pounds	$0.30
Shelling and sacking corn; sacks furnished by Government	Per bushel of 56 pounds.	.05
Hauling	Per 100 pounds per mile.	.03
Hire of 2-horse team, wagon, and driver; rations furnished by owner	Per day	7.00
Hire of 2-horse team, wagon, and driver; rations furnished by Government.	do	5.00
Hire of 4-horse team, wagon, and driver; rations furnished by owner.	do	10.00
Hire of 4-horse team, wagon, and driver; rations furnished by Government.	do	6.50
Hire of 6-horse team, wagon, and driver; rations furnished by owner.	do	12.00
Hire of 6-horse team, wagon, and driver; rations furnished by Government.	do	8.00
Hire of laborer; rations furnished by owner	do	1.50
Hire of laborer; rations furnished by Government	do	1.00
Hire of laborer; rations furnished by owner	Per month	30.00
Hire of laborer; rations furnished by Government	do	15.00

The undersigned, commissioners and appraisers under the act of Congress for regulating the impressments for South Carolina, have adopted the foregoing schedule of prices, which they think is fair and equitable under existing circumstances. They hope that the producer will be willing not only to sell to the Government at these prices, but to private individuals, and especially to the families of soldiers who are in the service of their country. The present is no time for

those who are at home to be speculating on the necessities of a bleeding country. They should consider that whilst the patriotic and gallant soldier in the Army is offering his blood and his life as a sacrifice for independence, that they, too, are called upon to make sacrifices and forego all exorbitant profits on what they have to sell. He who is unwilling to do so is unworthy of his country and the cause in which she is engaged.

The commissioners would respectfully suggest to the quartermasters and commissaries in South Carolina that they should not impress provisions which have been purchased for family supplies and immediate consumption, nor should they interfere with purchases made at Government prices, on their way to market, in the hands of a fair retail dealer, who is willing to sell at a moderate profit to supply the wants of the poor in the cities, towns, and villages of the State.

The foregoing schedule of prices will continue in force for two months, unless sooner revised.

B. F. PERRY,
A. M. MARTIN,
Commissioners.

COLUMBIA, S. C., *September 15, 1863.*

By order:

S. COOPER,
Adjutant and Inspector General.

EXECUTIVE DEPARTMENT,
Tallahassee, September 30, 1863.

His Excellency JEFFERSON DAVIS,
President of the Confederate States of America:

SIR: Your esteemed favors of the 5th, 11th, and 16th instant have been received. The action of the enrolling officers under the instructions they received has been such as to secure to the country the abundant crops of grain planted in Florida during the spring, provided overseers and managers shall not be taken into military service before the crops shall be gathered and the tithes paid to the Government. But every day's experience proves the necessity of having slaves kept in proper subjection, to insure support for the armies in the field and the citizens at home, and to prevent insubordination and insurrection.

With regard to the iron on our railroads, I say in candor that I shall be satisfied with the course the Secretary of War shall pursue by your instructions, with a full knowledge of facts, and will, to the best of my ability, sustain his authority.

I received a letter from General Lee relative to General Perry's brigade, in which he states:

> It would give me pleasure to recommend the adoption of Your Excellency's suggestion as to the mode of recruiting it did the exigencies of the service admit of its being detached at this time; but unless a force, at least equal to the brigade in number, can be sent to take its place, I do not think that its services can now be spared.

And—

> Your views with reference to the promotion of the officers of the brigade do justice to those gallant gentlemen, and I sincerely hope that some means may be devised by the wisdom of the State and Confederate governments of restoring the Florida brigade to its original strength at least, and suitably rewarding those who have so bravely and faithfully served their country.

To-day I received a letter from General Perry, a copy of which is inclosed.

The plan suggested by me in my letter of 18th August affords the only means of recruiting the brigade. There are not men enough in the State out of the Confederate service and subject to military duty to fill the brigade. With the exception of those who have been

exempted from military service by Confederate Government authority, I do not believe there are enough able-bodied men in the State to constitute a full regiment. The militia laws of the State are wholly inoperative. I urged upon the General Assembly in several messages the important necessity of amendments, or a militia law *de novo* to secure the services of all able-bodied men, but in vain. There are no officers by whom orders may be carried into effect, and no authority to draft when men refuse to volunteer. These facts being considered, is it not highly creditable to the intelligence, courage, and patriotism of the citizens that with a voting population never (according to the best data on the subject) exceeding 12,898, over 16,000 Floridians have been mustered into the Confederate service?

The General Assembly will convene on the third Monday in November, when I hope with better success to be able to impress them with the absolute necessity of a statute to insure the military service of every man and boy in the State having physical strength to defend his own or his country's rights. I should have called an extra session, but I could not reasonably believe they would act favorably, and their failure to act would have been detrimental to our cause and to the character of the State. A few new members will be elected—enough, I hope, to secure proper action in November.

I have the honor to be, respectfully,

JOHN MILTON.

[Inclosure No. 1.]

CAMP PERRY'S BRIGADE,
Rapidan River, Va., September 21, 1863.

His Excellency Governor MILTON,
Tallahassee, Fla.:

GOVERNOR: In case of failure of your effort to have my brigade transferred to Florida to recruit, can you not arrange to have it re-enforced here by regiments, battalions, or individuals from Florida? The brigade is now so reduced as to make it impossible for it to do justice to itself as a brigade, or to our State.

Do not the past services of the brigade, as well as our State pride, urge that the brigade be re-enforced? Think of the gallant State of Florida being represented by a brigade of only 450 men! I feel that the brave Floridians I have had the honor to command in Virginia have done so much for the name of their State that it is but justice that the organizations as they now exist should be maintained, that the companies and regiments should be filled, and the brigade strengthened by addition of other regiments and battalions.

With much respect, Governor, your obedient servant,

E. A. PERRY.

[Inclosure No. 2.]

AUGUST 11, 1863.*

STATE OF FLORIDA, *County of Taylor:*

We, the undersigned, officers of county aforesaid, desire to petition Your Excellency the President of the Confederate States of America for the few men that are still remaining in the county that have not joined the Confederate Army, and who are and were residing in the county the first day of this instant, to be exempt from conscription up to the age of forty-five from age of eighteen years old, for certain reasons:

First. We wish to represent to Your Excellency that the men in

*This paper is not mentioned in the letter of Governor Milton, but being found filed therewith it is here printed as an inclosure.

this county, subject or not, have always been ready to respond to every call made by Your Excellency for troops; so much so that our county has become drained down to about fifteen or twenty men that are subject to the Confederate service, leaving between 80 and 100 soldiers' families who are generally very destitute and in needy circumstances, as we have but little or no slave labor within the county, comparatively speaking, to the number of families destitute of support. The principal part of the provisions have to be raised by the very men that are subject to your call, and also to your exemption, according to an act of Congress.

And we would further state to Your Excellency that four-fifths of the breadstuff that is consumed by soldiers' families in this county the present year is raised out of this county, and not one-tenth [of the] families have any facilities of hauling these provisions from where they are raised when it is given to them; and it does and will require all the attention that can be afforded them if this petition is granted.

And we would respectfully represent to Your Excellency that if this petition is not granted that in our humble opinion the women and children of our county are bound to come to suffering if not starvation; and while we do and have given the Confederate Government our whole support and have been ready [to] stand in the defense of the Confederate Government, yet we feel deeply interested (but not too much) for the helpless ones at home; and feeling that Your Excellency having the power to exempt Taylor County of any further conscription for the present, and will ever pray Your Excellency to grant the foregoing petition if in your august opinion you deem it worthy; and ever pray.

S. P. FIFE,
Clerk Circuit Court.
EDWARD JORDAN,
Sheriff.
ROBERT HENDERSON,
Judge of Probate.
WILLIAM McMILLEN,
NEAL HENDRY,
County Commissioners.
DANIEL C. BAKER,
W. J. SMART,
C. F. O'HARA,
Justices of the Peace.

Act of the General Assembly of South Carolina.

AN ACT to amend an act entitled "An act to amend an act to organize and supply negro labor for coast defense, in compliance with requisitions of the Government of the Confederate States, and to authorize and direct the Governor to proceed to furnish negro labor under said act."

I. *Be it enacted by the Senate and House of Representatives now met and sitting in General Assembly, and by the authority of the same.*

* * * * * * *

III. That whenever a requisition shall be made on any district, parish, city, or incorporated town or village, by the State agent, for a supply of slave labor under the provisions of the act aforesaid, it

shall be the duty of the commissioner of roads of said district or parish, or corporate authorities of such city, town, or village, to impress and forward under such requisition all able-bodied male free persons of color, who are between the ages of sixteen and fifty years, who shall be required to labor for the same term as the slaves sent from such district, parish, city, incorporated town, or village, and be entitled to receive the same compensation allowed for the services of such slaves: *Provided*, That it shall be the duty of the commissioner of roads in each district and parish, and the corporate authorities of each city, town, or village, to select, by lot, the same proportion of laborers from this class as may be ordered in the assessment of slave labor, and that those selected to perform this duty shall not again be selected until the call has been made on all free negroes in their section: *And provided also*, That the privilege of furnishing an able-bodied substitute shall be extended to all such free negroes.

* * * * * * *

V. That the negro labor herein provided for shall be liable for the construction of military defenses in any other portion of the State that may be threatened by the enemy.

Passed September 30, 1863.

RICHMOND, FREDERICKSBURG AND POTOMAC R. R.,
PRESIDENT'S OFFICE,
Richmond, September 30, 1863.

HON. JAMES A. SEDDON,
Secretary of War:

SIR: Capt. John M. Robinson, having returned from Europe and reported for further orders, has been remanded, I learn, to his former position in General Jones' command in Southwestern Virginia. While in England, after encountering difficulties which seemed to render hopeless his mission for purchasing supplies for some of our Virginia railroads, he succeeded in effecting very advantageous and satisfactory negotiations for purchasing them with the obligations of these railroad companies. This success was largely attributable to the confidence in himself and in those by whom he was sent, which he, by his judgment and address and character, inspired in those with whom he dealt. I know of no one who could have combined the same advantages which he possessed for overcoming the almost insuperable difficulties in his way, or who could have better improved those advantages. Nor do I believe that any new agent could now effect in England what he has done or what further he could now do. The purchases made by him were for only five Virginia railroads, and were by the risks and difficulties of importation restricted to the least possible quantities which those few companies would need for the maintenance of their machinery for the next year or two. This leaves unprovided with the means of maintaining their machinery, so essential and even now so inadequate to the military transportation required of them, all the other railroads in this and the other Confederate States, depending only on the delusive and often disappointed hope of an early termination of the war, which has hitherto paralyzed and will continue to paralyze all efforts for supplying them by their owners. I therefore respectfully suggest to you that it would be a prudent precaution for the Government to convene as many as practicable of the presidents of these railroad companies and urge them to avail themselves of the confidence and credit which Captain Robinson has

established in England and (through a special detail for that duty) of his services in procuring for them those supplies so essential to the maintenance of military transportation over their roads. Neither this company nor I personally have now any special interest in this being done, but as a citizen of the Confederacy, who in my official capacity have special opportunities of knowing the very great importance of this measure to the country and our cause, I cannot refrain from making it known to you. It is but just and proper to add that this letter is in no degree prompted by Captain Robinson or by any partiality for him; nor is it written with his knowledge of my writing it.

I am, with high respect, very respectfully, your obedient servant,

P. V. DANIEL, JR.,
President Richmond, Fredericksburg and Potomac R. R. Co.

BUCKINGHAM, *October 1, 1863.*

Hon. JAMES A. SEDDON:

SIR: As there occurred several inaccuracies in publishing our Schedule A, dated Richmond, October 1, 1863, we respectfully submit the following corrections. We trust, as the mistakes are so obvious, that the good sense of the public as well as of our impressing agents enabled them in detecting to correct them: In August we assessed prime white and red wheat at $5 per bushel, and good superfine flour at $25 per barrel. At our meeting the 24th of September the Board readopted in full our schedule of August, with a few additions. Therefore we retained our former valuation of superfine flour. But we added fine flour, which we assessed at $22 per barrel, and extra superfine flour at $26.50 per barrel, and family flour at $28 per barrel, each weighing 196 pounds. We also added good, fresh fat pork, at 45 cents per pound net weight. Not apprehending the development of any facts of sufficient importance to require a change in our valuations for at least two months, we adopted Schedules A and B, as adjusted in August, with the foregoing additions, as the Government rates for the ensuing two months. We therefore submit the August schedules marked A and B, with the foregoing stated additions and corrections, and request their republication, with the understanding that the prices therein indicated are to remain for the months of October and November, as agreed upon when we presented to you our last report. If in the meantime any additions to the number of articles assessed should be desirable, we will send in a supplemental schedule embracing them.

Most respectfully,

E. W. HUBARD,
ROBT. GIBBONEY,
Commissioners for Virginia.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 129. } *Richmond, October 1, 1863.*

The following schedule presents the maximum prices to be paid for the articles appraised at all cities and usual places of sale, and when impressed elsewhere the same prices are to be paid elsewhere, less the cost of transportation to the city or usual place of sale to which

the article would go ordinarily for sale from that neighborhood, or less the cost of transportation to the point at which the Government needs the article and wishes it to be sent, provided that in no case the amount deducted for transportation as above shall exceed 25 cents per bushel for grain and 25 cents per hundredweight for long forage, flour, bacon, iron, &c.; in addition to the established price of transportation, the Government to pay all legal tolls, and, where farmers cannot procure nails for baling forage, Government to furnish the same at cost, which will be deducted from the established price of baling:

SCHEDULE A.

	Articles.	Quality.	Description.	Quantity.	Price.
1	Wheat	Prime	White or red	Per bushel of 60 pounds	$5.00
2	Flour	Good	Fine	Per barrel of 196 pounds	22.00
	do	do	Superfine	do	25.00
	do	do	Extra superfine	do	26.50
	do	do	Family	do	28.00
3	Corn	Prime	White or yellow	Per bushel of 56 pounds	4.00
4	Unshelled corn	do	do	do	3.95
5	Corn-meal	Good		Per bushel of 50 pounds	4.20
6	Rye	Prime		Per bushel of 56 pounds	3.20
7	Cleaned oats	do		Per bushel of 32 pounds	2.00
8	Wheat bran	Good		Per bushel of 17 pounds	.50
9	Shorts	do		Per bushel of 22 pounds	.70
10	Brown stuff	do		Per bushel of 28 pounds	.90
11	Ship stuff	do		Per bushel of 37 pounds	1.40
12	Bacon	do	Hog round	Per pound	1.00
13	Salt pork	do		do	1.00
	Fresh pork	Fat and good		Per pound, net weight	.45
14	Lard	Good		Per pound	1.00
15	Horses	First class	Artillery, &c	Average price per head	350.00
16	Wool	Fair or merino.	Washed	Per pound	3.00
17	do	do	Unwashed	do	2.00
18	Peas	Good		Per bushel of 60 pounds	4.00
19	Beans	do		do	4.00
20	Potatoes	do	Irish	do	4.00
21	do	do	Sweet	do	5.00
22	Onions	do		do	5.00
23	Dried peaches	do	Peeled	Per bushel of 38 pounds	8.00
24	do	do	Unpeeled	do	4.50
25	Dried apples	do	Peeled	Per bushel of 28 pounds	3.00
26	Hay, baled	do	Timothy or clover	Per 100 pounds	3.00
27	do	do	Orchard or herd grass	do	3.00
28	Hay, unbaled	do	do	do	2.70
29	Sheaf oats, baled	do		do	4.00
30	Sheaf oats, unbaled.	do		do	3.70
31	Blade fodder, baled.	do		do	3.00
32	Blade fodder, unbaled.	do		do	2.70
33	Shucks, baled	do		do	2.00
34	Shucks, unbaled	do		do	1.70
35	Wheat straw, baled.	do		do	1.00
36	Wheat straw, unbaled.	do		do	.70
37	Pasturage	do	Interior	Per head per month	3.00
38	do	Superior	do	do	4.00
39	do	First rate	do	do	5.00
40	do	Good	Near cities	do	5.00
41	do	Superior	do	do	6.00
42	do	First rate	do	do	7.00
43	Salt	Good		Per bushel of 50 pounds	5.00
44	Soap	do		Per pound	.40
45	Candles	do	Tallow	do	1.00
46	Vinegar	do	Cider	Per gallon	1.00
47	Whisky	do	Trade	do	3.00
48	Sugar	do	Brown	Per pound	1.00
49	Molasses	do	New Orleans	Per gallon	8.00
50	Rice	do		Per pound	.20
51	Coffee	do	Rio	do	3.00
52	Tea	do	Trade	do	7.00
53	Vinegar	do	Manufactured	Per gallon	.50
54	Pig-iron	do	No. 1 quality	Per ton	125.00
55	do	do	No. 2 quality	do	110.00

SCHEDULE A—Continued.

	Articles.	Quality.	Description.	Quantity.	Price.
56	Pig-iron	Good	No. 3 quality	Per ton	$100.00
57	Bloom iron	do	do	do	180.00
58	Smith's iron	do	Round plate and bar	do	380.80
59	Railroad iron	do	do	do	190.00
60	Leather	do	Harness	Per pound	2.60
61	do	do	Sole	do	2.40
62	do	do	Upper	do	2.80
63	Beef-cattle	do	Gross weight	Per 100 pounds	16.00
64	do	Superior	do	do	18.00
65	do	First rate	do	do	20.00
66	Sheep	Fair	do	Per head	30.00
67	Army woolen cloth, 3-4 yard.	Good	10 ounces per yard	Per yard	4.50
68	Army woolen cloth	do	do	do	(a)
69	Army woolen cloth, 6-4 yard.	do	20 ounces per yard	Per yard	9.00
70	Army woolen cloth	do	do	do	(a)
71	Flannels, 3-4	do	6 ounces per yard	Per yard	3.00
72	Cotton shirting, 3-4.	do	4½ yards to pound	do	.42
73	Cotton shirting, 7-8.	do	3¾ yards to pound	do	.50
74	Cotton sheetings, 4-4.	do	3 yards to pound	do	.60
75	Cotton, Osnaburg, 3-4.	do	6 ounces per yard	do	.60
76	Cotton, Osnaburg, 7-8.	do	8 ounces per yard	do	.70
77	Cotton drills, 7-8	do	3 yards to pound	do	.70
78	Cotton shirting stripes.	do	do	do	.70
79	Cotton tent cloths	do	10 ounces per yard	do	.87
80					(b)
81	Cotton warps	Good		Per pound	1.63
82	Army shoes	do		Per pair	10.00
83	Shoe thread	do		Per pound	2.00
84	Wool socks, men's.	do		Per pair	1.25
85	Mules	First rate	Wagon, &c	Average price per head	300.00

a Pro rata as to greater or less width or weight.
b On the above-enumerated cotton cloths, pro rata as to greater or less width or weight.

In assessing the average value of "first-class artillery and wagon horses at $350," we designed that the term should be accepted and acted upon according to its obvious common-sense import. In other words, that horses should be selected and then impressed accordingly as their working qualities and adaptation to army service, together with their intrinsic value, would warrant a judicious purchaser in considering them as coming within the contemplation of the commissioners when they assessed the average value of such horses as the Government needed at $350. But cases might arise, however, when the public exigencies would be so urgent as to demand that all horses at hand should be impressed. Yet, under ordinary circumstances, when family or extra blooded horses or brood mares of admitted high value are impressed, we respectfully suggest to the Secretary of War to have instructions forwarded to the impressing officers to propose and allow the owners to substitute in their stead such strong, sound, and serviceable horses or mules as shall be considered and valued by competent and disinterested parties as first-class artillery horses, or first-rate wagon mules.

The term "average value per head" was used in contradistinction to a fixed and uniform price for each horse or mule. We supposed that in impressing a number of horses or mules, whether owned by several persons or one individual, that some might be estimated at $250, or even at less, and others at different advanced rates, according to their worth, up as high as $450, or above that amount, thus making an average value or price for a number of good, sound, and efficient horses $350 each, and mules $300 each.

In illustration of our views, we will add that a horse with only one eye sound might, in all other respects, be classed as a first-rate artillery horse, yet the loss of one eye would justly and considerably curtail his value. So a horse from ten to eighteen years of age might be deemed in all other particulars as a first-class artillery horse, but of course, however efficient or able to render good service for a year or so, yet his advanced age would justly and materially impair his value. Any horse, however he may approximate the standard of a first-class artillery

horse, must, according to deficiencies, fall below the maximum price; and as few comparatively exactly come up to the standard, and therefore are entitled to the maximum price, so of course in all other instances the price should be proportionately reduced, as imperfections place them below the standard of first class, &c.

E. W. HUBARD,
ROBERT GIBBONEY,
Commissioners for Virginia.

SCHEDULE B.—*Hire of labor, teams, wagons, and drivers.*

	Quantity and time.	Price.
Baling long forage	Per 100 pounds	$0.30
Shelling and bagging corn; sacks furnished by Government	Per 56 pounds	.05
Hauling	Per cwt. per mile	.06
Hauling grain	Per bushel per mile	.03
Hire of 2-horse team, wagon, and driver; rations furnished by owner	Per day	10.00
Hire of same; rations furnished by the Government	do	5.00
Hire of 4-horse team, wagon, and driver; rations furnished by owner	do	13.00
Hire of same; rations furnished by the Government	do	6.50
Hire of 6-horse team, wagon, and driver; rations furnished by owner	do	16.00
Hire of same; rations furnished by the Government	do	8.00
Hire of laborer; rations furnished by owner	do	2.00
Hire of same; rations furnished by the Government	do	1.25
Hire of same; rations furnished by owner	Per month	40.00
Hire of same; rations furnished by the Government	do	20.00

E. W. HUBARD,
ROBERT GIBBONEY,
Commissioners for Virginia.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., October 1, 1863.

COLIN J. MCRAE, Esq.,
Commissioner, &c., Paris:

SIR: Referring to my letter of the 26th ultimo, I beg now to add that you will please apportion out as follows the £262,500 of the Erlanger loan reverting to the War Department: Quartermaster's Department, £85,000; Commissary Department, £40,000; Ordnance Department, £55,000; Medical Department, £30,000; Niter and Mining Department, £40,000; Engineer Department, £12,000.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

SARATOGA, *October 2, 1863.*

Hon. JAMES A. SEDDON:

DEAR SIR: I observed in the Enquirer of yesterday that General S. Cooper had published only our schedule of July last, which purports to be made for one month, and omitted to have prefixed to its publication our last report handed into you since the 24th ultimo, which enlarges the schedule, and sets forth the price assessed on several articles now for the first time introduced and appraised, and also proposing not only to re-adopt our July schedule as far as it extended, but to extend the time of its continuance up to a period of two months. Thus you will see there is an important omission. But if this was from your opinion that this portion had better not at

present be inserted and published, why, of course, we are disposed to defer to your better judgment. On the contrary, if from inadvertence, I respectfully suggest that the publication be made in full, as we contemplated; that is, so as to embrace our last report made in September, as well as what we adopted of our former schedules.

I regret to find a growing desire in certain high places to contest our action, and thereby substantially break down the system of appraisement and substitute speculative or neighborhood valuations in lieu of it. If they succeed it will be far more fatal than any Yankee victory. Commercial laws do not regulate prices. Then who should? Why, certainly, the law-makers. But if they do not, it is clear that extortioners will certainly both rule and ruin our cause and the people. It is clear to my mind that the laws of trade and commerce do not regulate or govern prices. As prices in our existing exigencies have to be controlled, what body of men so proper to perform this task as our Legislature? Pray, what more fiendish or hellish agency can assume this sovereign function than a band of cormorants, extortioners, and speculators? If our law-makers fail at this critical juncture to regulate prices extortioners most assuredly will do so, and they never have ruled but to ruin. Let the law be based upon the broad principle of just compensation. Who could spurn such a bill? In what contempt would our gallant Army hold its opponents? As for the particular mode there would be no danger, I assure you, of prices being ever placed too low. Human nature does not lean that way. Experience fully assures me of this fact. The Confederate law regulating your Department contracts, &c., with our cotton and woolen manufactories, so far as I learn, is satisfactory to both the stockholders and the Government. Why not apply that principle in all cases and to all parties? I have just written a long letter to R. A. Coghill on this subject. Show this to your brother, or others if you see fit to do so.

I learn the Roanoke Valley Railroad has applied to court for an injunction. So has Rice & Co., of Farmville, upon their leather impressment. If our judges are so soft and dull as thus to be used by sordid extortioners, they had better abdicate and join the disaffected in North Carolina. I trust the Government will employ our ablest men to sustain it before our courts. Money will not be spared to subvert the policy of appraisement. This you may rely upon. So look out for able legal champions, and let the papers fill the popular mind on this point and never spare our law sharks. But enough. I will aid you in any rational plan that can be devised.

Pray excuse this rigmarole, and believe me, with the highest regard and most hearty good wishes,

Your friend and servant,

E. W. HUBARD.

GENERAL ORDERS, No. 130. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, October 2, 1863.*

I. The evils resulting from the prolonged absence of soldiers who have obtained furloughs on account of sickness being greatly on the increase, the attention of officers of the Army is directed to the seventh paragraph of General Orders, No. 69, of 1863, from this office, and strict compliance therewith is enjoined.

II. Commanders of companies who, agreeably to the requirements of the aforesaid Orders No. 69, receive from examining boards notices

of furloughs granted by them, are required to make out and forward monthly to the superintendents of the bureaus of conscription (Col. J. S. Preston, at Richmond, Va., or Brig. Gen. G. J. Pillow, at Marietta, Ga., as the case may require) lists of all men so furloughed, and who do not promptly return to their companies at the expiration of the time granted them; and it will be the duty of the superintendent receiving such lists to direct the proper enrolling officers to arrest and return to their companies, without delay, all persons who are thus reported and found absent without proper authority.

III. Payment upon affidavit to soldiers sick or wounded in hospitals, who are unprovided with descriptive lists, will hereafter be limited to four months' pay.

By order:

S. COOPER,
Adjutant and Inspector General.

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
DEPT. OF TENNESSEE, ALABAMA, AND MISSISSIPPI,
Marietta, Ga., October 3, 1863.

Col. BENJAMIN S. EWELL,
Assistant Adjutant-General:

I inclose herewith copies of two letters from Secretary of War to myself and my answer thereto.

According to my construction of these letters (which I consider tantamount to orders) the Secretary of War substantially revokes the order transferring to General Johnston the powers and duty of enforcing the conscript law in the States of Alabama, Mississippi, and Tennessee. He leaves me the nominal superintendent, while in fact the business of the bureau is drawn to the War Office.

The main business of the conscript branch of the bureau (and the same duties being performed by the supernumerary branch) is to bring into the Army all those liable to duty as conscripts. The numerous questions of exemption and details which are constantly presenting themselves in the administrations of this branch of the service are all by this communication of Secretary of War ordered to be remitted to the Secretary for decision. While I am looked to by General Johnston as controlling this branch of the service, and am held responsible for additions to the armies, it will be thus perceived that I have no control over the subjects and men, from whom alone this increase of the Army must be drawn.

I do not incline to think that such was the intention of the Secretary of War in writing the letter, but such is the result which necessarily follows, as I understand that letter. I do not suppose General Johnston can alter or change this order of business, nor do I complain of it; but this system of business will delay the decision of all such cases and keep the men out of the Army during all the time lost in transmitting the papers through to Richmond and back, and while passing through the tedious course of examination in the office at Richmond. It is easy to see that this will greatly retard the work of building up the Army by conscripts. My object is to explain to General Johnston the effect of the changes made in the work of the bureau by these instructions of the Secretary of War.

Since the reception of this letter of the Secretary of War I have indorsed all cases which have been forwarded from the various rendezvous, outposts, and camps and forwarded them directly to the War

Office. I submit the whole matter to the general, and would be glad to know his views upon the subject. Am I acting properly under the circumstances? If my conduct is in anything disapproved, I would thank you to furnish me with his instructions. The amount of business thus sent up is very large, and it will of course be suspended until the papers are returned, and all future business must be subjected to like delay. Under the instructions, as I understand them, I can decide nothing finally, not even such questions as the enrolling lieutenants were empowered under the general order of the Adjutant-General to dispose of finally (if no appeal was taken).

If the general should concur with me in the construction of these letters, I respectfully ask if it is not my duty to myself to ask to be retired from all further connection with the bureau.

Respectfully,

GID. J. PILLOW,
Brigadier-General, C. S. Army, Superintendent, &c.

[Inclosure No. 1.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., September 23, 1863.

Brig. Gen. G. J. PILLOW,
Marietta, Ga.:

GENERAL: The Commissary-General has referred to the Department an application of Major Dameron, commissary of subsistence at Meridian, Miss., for the exemption or detail of his clerks and agents, with an indorsement requesting me to direct you "to grant exemption or detail to such conscripts as may be required on the certificate of Major Dameron, chief commissary of subsistence of Mississippi. This order to apply particularly to cattle drivers and one confidential clerk to each disbursing commissary, provided he cannot get a disabled soldier or non-conscript."

While I do not think it expedient to authorize exemptions or details made in the way proposed to be final, yet the great importance of preserving uninterrupted the operations of the Commissary Department requires that such exemptions or details should be considered and treated as operative until reference can be made to the Department.

Your obedient servant,

JAMES A. SEDDON,
Secretary of War.

[Inclosure No. 2.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., September 23, 1863.

Brig. Gen. G. J. PILLOW,
Marietta, Ga.:

GENERAL: I have received your letter relative to the appointment of an agent to visit and report upon the necessity of exempting overseers in the canebrake region of Alabama. I concur in your views as to the delicacy and difficulty of allowing exemptions or details in favor of planters or overseers of large plantations. Except in very rare and exceptional cases it is better that the claims of the law should be exacted. Parties with such large means must be able to procure some assistance in the managements of their estates, while the exemption to them causes great dissatisfaction to many and affords an

excuse for complaint to more. Such exonerations should be granted very sparingly, and even then there had better be details for a limited period—say until the crop is gathered—rather than exemptions.

I perceive that you exercise the discretion of granting exemptions, details, and discharges. Such power cannot be with propriety parted with by the Department, and, indeed, one class of exemptions can only, under the law, be determined by the President, to whose personal discretion it seems confided. While, therefore, from necessity, you must, in the first instance, act on the applications for exemptions, &c., such, in all doubtful cases, should only be conditionally determined, and be referred to the Conscript Bureau or the Department here for review.

Your obedient servant,

JAMES A. SEDDON,
Secretary of War.

[Inclosure No. 3.]

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
DEPT. OF TENNESSEE, ALABAMA, AND MISSISSIPPI,
Marietta, Ga., September 30, 1863.

Hon. J. A. SEDDON,
Secretary of War:

SIR: Your two communications of the 23d instant are acknowledged. General Johnston directed me to assume control of the conscript service of Tennessee, Alabama, and Mississippi. This order was accompanied with the following order of the Secretary of War, through the Richmond bureau: "This Bureau claims no jurisdiction over conscription in Alabama, Mississippi, and Tennessee. The control was transferred to you entirely and is subject to be delegated by you to any extent," except the case of Major Denis, of Mobile.

From this order it appeared to me that the subject of conscription in these States was transferred to General Johnston, and that exemptions and details, incidents growing out of the powers of conscription under the law, followed as a matter of course. General Johnston delegated the powers to me by his orders assigning me to that duty. It was thus that I conceived myself fully authorized to act in granting exemptions and details in enforcing the conscript law. I did not intend to assume or to execute powers which the Government had not granted. I thought then and still would understand the authority conferred by this order in the same way. It is, of course, always competent for the Government to countermand this order, or to suspend the further exercise of the authority conferred by it, and it is no matter of complaint on my part if it should be done. This I understand to be the effect of your letter of the 23d instant. I therefore cease to act upon such applications, and shall forward them all with my indorsement. The immediate effect of this will be to throw all the work of this bureau into your office, and to suspend the operations of my functions as superintending officer of this bureau, leaving me in the exercise of the same but no larger power than the enrolling officers themselves possessed. Indeed, my authority is cut down below the powers these enrolling lieutenants were authorized to exercise by orders of Lieutenant-Colonel Lay, chief of Bureau of Conscription, dated July 21, 1863; also the order of Adjutant-General Cooper of February 23, 1863. Both of these orders authorize local enrolling officers to grant exemptions specified in the law, subject to the right of appeal. When I assumed command of this bureau

enrolling officers were exercising this authority, and I found so much irregularity in the practice of enrolling officers of different districts, and so much abuse of the power of granting exemptions loosely and upon insufficient proof, that I issued a general order requiring all applications, with the proof, to be received by them; that the enrolling officers should indorse their opinions upon the applications and forward them to these headquarters for consideration. I also found commandants of conscripts for States exercising the powers of detail. In the camp at Enterprise, in Mississippi, I found that about one-third of all conscripts received had been detailed, and about a like proportion in camps of other States. To control this great loss of the military strength out of which the armies of the country had to be built up, I ordered all applications for details to be forwarded for my action. I have made great efforts to husband the resources of the country by cutting off, as far as possible, all details, only allowing those connected with the Government workshops, and refusing details to quartermasters and commissaries and the purchasing bureaus of both of those departments, except in cases of feebleness in the party applied for, and this on surgeon's certificate. So great was the pressure upon me that I applied to General Johnston (to whose quartermaster I refused details) to know if I was acting properly. General Johnston fully approved my action and the rules laid down for the action of this bureau. A copy of this communication is herewith furnished you, with copy of General Johnston's approval.

From these facts you will perceive that the greatest effort with me has been not to make details except in cases of absolute necessity, and then only for Government works requiring mechanical skill to meet the want. In administering the affairs of this bureau under the orders of transfer above set out I supposed it was my duty to act upon such applications; but I have, as far as possible, avoided making any details, in order that the vast armies required to defend the country might be kept up. The population of this conscript department is greatly exhausted. In the great rush for the cavalry service (companies of which are everywhere forming under the orders of cavalry commanders), and because of the numberless applications for exemptions and details to escape infantry service, and under your orders to consider all of these applications for the purchasing bureau as operative, but few new men can be gotten in hand for the Army.

I am sustained by the commanders of the departments. If I am sustained by the Government I can execute the law and administer this bureau with profitable results to the country.

I have felt it my duty, in explanation of my action, to say thus much, trusting that you will perceive in my conduct nothing but an earnest zeal to serve the Government to the best of my ability.

With great respect, your obedient servant,

GID. J. PILLOW,

Brigadier-General, C. S. Army, Superintendent, &c.

[Sub-inclosure No. 1.]

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
DEPT. OF TENNESSEE, ALABAMA, AND MISSISSIPPI,
Columbus, Miss., August 31, 1863.

Maj. W. H. DAMERON:

I have the honor to acknowledge the reception of your communication of the 29th instant with the inclosed copy of instructions. Fully appreciating the importance of your position and with every

disposition, as far as it is possible, to extend to you all the assistance I can consistent with the paramount duty of building up of our reduced armies, yet I am compelled to say that I cannot allow details for any arm of the service or branch of the staff conscripts fit for field duty. It is possible, and I know it, to get competent non-conscripts for these arms of the staff. It will not cost you half the labor to get competent non-conscripts that I am performing to get conscripts for the line. The policy of the Government (a policy originating in necessity) and the acts of Congress alike require you, as far as possible, to supply your wants from non-conscripts.

It was in pursuance of this policy that the Quartermaster and Commissary Departments were required to give up their agents, clerks, and assistants and supply themselves with non-conscripts or disabled soldiers.

My duty requires me to place in the Army every man competent of performing duty in the field if within conscript age. There is no conflict of authority in our instructions. The Commissary-General has furnished me with copies of his instructions.

Without our armies are rapidly built up ruin to the country may speedily follow. My duty to the line compels me to say that I cannot in any case, unless ordered by the Government or department commander, allow any able-bodied conscripts to be detailed for service in your branch of the staff or any other, except that of the ordnance and shops connected with it. I have not yet in a single instance departed from this position, which the necessities of the service compelled me to assume. I am sensible of the fact that at the outset you will be somewhat at a loss for suitable agents and will feel embarrassed, but proper efforts on your part will overcome this embarrassment. The non-conscript population and those exempted for disabilities is larger than the able-bodied conscript population; out of these and disabled soldiers (another large class) you must supply your wants. If I allow details for your district, I must for others and then for every arm of the staff which has wants to supply. Do this and we have not men enough of conscript age to build up the line. I must act upon general rules. A departure in this case begets the necessity of a departure in others, which when allowed has no end. If a list of the agents you have employed were furnished me I would allow, by general orders, a detail of all now actually on duty, after first being enrolled and sworn in, a detail of twenty days, after which you would be required to have them turned over to the Army. I can give no order to protect your agents from arrest by the officers of this bureau without innumerable frauds upon the service, as my officers have no means of knowing your agents except through my order. I do not object to your appealing to the Government. If I am wrong in my construction of the law and of my duty it will put me right. I shall send a copy of this communication to General Johnston, the department commander, whose right to control my action in this, as in all other things relative to my present duties, is fully recognized. No loss of time prejudicial to your branch of the service can occur while his opinion is being appealed to. I am daily having about 100 applications for details of one sort or another arising from the wants of the staff. I cut them all off where they embrace able-bodied conscripts, except in the Government workshops connected with the ordnance arm, and those I shall curtail as much as possible.

I am, sir, with great respect, your obedient servant,

GID. J. PILLOW,

Brigadier-General, C. S. Army, Superintendent of Bureau.

[Sub-inclosure No. 2.]

This Bureau claims no jurisdiction over conscription in Alabama, Mississippi, and Tennessee. The control was transferred to you entirely, and is subject to be delegated by you to any extent. The operations of Major Denis, commandant of Louisiana conscripts at Mobile, are not included in the terms, being confined to citizens of Louisiana, and the Bureau retains him exclusively under its orders.

[Indorsement.]

MORTON, *September 3, 1863.*

Brigadier-General PILLOW:

Your letter to Major Dameron and the rules therein laid down are entirely approved.

BENJ. S. EWELL,
Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., October 3, 1863.

P. V. DANIEL, Jr., Esq.,
President Richmond and Fredericksburg R. R. Co., Richmond:

Your letter of the 30th ultimo has been received. I should prefer the presidents of the railroads should correspond among themselves or assemble by their own arrangements to consider the subject of procuring supplies from abroad. I am unwilling to intervene officially in matters relating exclusively to their own interest.

Very respectfully,

JAMES A. SEDDON,
Secretary of War.

NASSAU, NEW PROVIDENCE, *October 3, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War, Richmond:

SIR: By the last arrival from Wilmington a few days since Mr. Seixas communicated to me a dispatch in which you direct me to ship meat and provisions as rapidly as possible on the best terms of freight. Mr. Watson, of A. Collie & Co., has had a cargo of bacon here for some time which he has been unable to ship. Under the circumstances I have taken it under my control and commenced the shipment, fifty boxes of which go by the present opportunity—the Virginia. Messrs. Crenshaw Brothers will turn it over to the Commissary Department, as I consigned it to them to avoid confusion in the accounts. I will hurry forward the residue of the cargo by every steamer that leaves this moon.

I am, very respectfully, your obedient servant,

L. HEYLIGER,
Government Agent.

[Indorsement.]

OFFICE COMMISSARY-GENERAL OF SUBSISTENCE,
October 15, 1863.

Respectfully referred to the Secretary of War, asking if this sort of shipment of small installments of meat comes up to a compliance with

his orders and urging more specific instructions as to quantity. The Army is bordering on destitution in meat and the districts of supply in the enemy's hands.

L. B. NORTHROP.

GENERAL ORDERS, No. 132. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, October 5, 1863.*

I. Cadets having been required by General Orders, No. 65, September 9, 1862, to report to this office, those who have not complied with the terms of that order and who fail to do so, either personally or by letter, for the ensuing thirty days will be dropped from the rolls of the Army.

II. Officers of the Quartermaster-General's and Commissary Departments who are in charge of depots will receive from officers collecting the tax in kind and receipt for all produce belonging to their respective departments which may be invoiced to them and provide store-houses for the same.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 133. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, October 5, 1863.*

I. The chief of the Niter and Mining Bureau is directed, through the officers of his Bureau, to impress copper, coal, and such other minerals as may be needed for the use of the Government.

II. The provisions of paragraph I, General Orders, No. 67, current series, is extended to officers of the Conscription Bureau. The payments authorized will be made out of the funds appropriated for the support of that Bureau.

By order:

S. COOPER,
Adjutant and Inspector General.

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
DEPT. OF TENNESSEE, ALABAMA, AND MISSISSIPPI,
Marietta, Ga., October 5, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

I send in charge of Lieutenant Griffith thirteen deserters from General Bragg's army for assignment to the Alabama regiments in the Army of Virginia. This is done by General Bragg's orders. The Army of Tennessee is at present so convenient to the homes of these men that it is impossible to keep them in the army. In accordance with these orders of General Bragg I am now sending a great many deserters to the Army of Virginia, whence it will be impossible for them to make their way back home. I sent forty others two days [ago]. General Bragg is satisfied these men will not stay in his army, and there are so many of them that shooting them seems out of the question. My own opinion is that it is the best that can be done

under the circumstances. I keep a record of their names and regiments to which they formerly belonged. There [are] from 6,000 to 8,000 of them, and unless you disapprove the measure I will send off these deserters and conscripts I gather from this disaffected region of Alabama (the mountain region) to the provost-marshal at Richmond for assignment to the Army of Virginia.

Respectfully,

GID. J. PILLOW,
Brigadier-General, C. S. Army, Superintendent.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., October 5, 1863.

Maj. Gen. HOWELL COBB,
Commanding State Troops, Atlanta, Ga.:

GENERAL: I have received your letter as to the proper mode of filling vacancies in the State troops. There is every disposition, from a cordial appreciation of the laudable efforts of the Governor of Georgia to raise these troops, as well as from just deference to his station and known views, to have these appointments made in the most acceptable manner. There are certain limitations of authority, however, which must be observed. Where the troops have not been organized under the Confederate laws, but as militia, then there can be no doubt or difficulty—the appointments will be with the Governor, or agreeably to the State laws. When the organizations have been under the Confederate acts for local defense, then, if before being tendered they are organized into regiments, the field officers may be, and properly should be, elected by the men, and then, as regiments organized, they may be tendered and accepted by the Confederate authorities. If, however, the companies are separately tendered and accepted, and have to be organized into battalions and regiments, the law vests the appointment of the field officers in the President, and he cannot delegate it nor divest himself of it, though he will naturally give weight and due consideration to whatever recommendations the Governor of Georgia may present.

Under the foregoing statement of the law as construed by the Department, little difficulty, it is hoped, will exist in nearly all instances in accomplishing the wishes of the Governor without departing from the provisions of existing laws.

Very respectfully, yours,

J. A. SEDDON,
Secretary of War.

GREENSBURG, *October 5, 1863.*

Messrs. EDWARD SPARROW, JOHN PERKINS, Jr., C. M. CONRAD, D. F. KENNER,
Members of Congress, Richmond, Va.:

GENTLEMEN: The bearer, Mr. Addison, visits Richmond on important public business, and this affords me an opportunity of addressing you on an important matter that deeply concerns the interests of the people of Louisiana, and I suppose those of every Confederate State, more especially of those whose shores are washed by the Atlantic or the Gulf. I allude to the question of obtaining the necessaries of life and of war through the enemy's lines. The people of the parishes of

Louisiana lying east of the Mississippi River are starving for the want of salt and salt meat. Their manufactories of coarse woolen and cotton cloths have all been destroyed by the enemy, and they are without clothing. Having no woolen or cotton cards, and without the means of manufacturing them, they are unable to weave homespun cloths to hide and protect their nakedness. Utterly destitute of medicines, the best medical treatment is unavailing for them. Nine out of ten are without firearms, and if they had them, cannot obtain the powder and lead to load them. Can the introduction through the enemy's lines (in spite of their vigilance) of these necessaries, and such like, be injurious to the Confederacy? If so, it is strange that the enemy has deemed it so important to prevent their introduction, so important as to consider the prohibition of their introduction one of their most reliable means for our destruction and subjugation. Surely we should admit what the enemy so strenuously strives to prevent to enter. What is deemed by them so much to our military advantage should not be so heavily visited, punished, and marred by the Confederacy. Might not a portion of the immense quantity of cotton which has come into the possession of the Yankees by the late successes of their arms have been saved to the Confederacy if a quantity of it, not sufficient to be of any material advantage to their manufactories, had been permitted to be exported, with even the danger of going to the North, in exchange for the necessaries of life for our starving people and suffering armies, who have so extensively perished and been demoralized for the want of them? And could not the traffic be so controlled and managed as to prevent any great abuse of it for the advantage of the enemy? Could it not be so controlled as to be available for the crying wants of the people and the soldiers, and without important injury to the Confederacy and its cause? Could not the ruthless speculator, buying for the purpose of re-sale and extortion, be pursued and punished, and denied the privilege of trade, without withholding its important and vital advantages to the starving family and suffering soldier? Could not there be found honest, firm, and vigilant provost-marshals, giving ample security, acting under the obligations of an oath and the fear of disgrace, and be placed at required points to enforce laws and regulations on this important subject, so as to prevent the scandalous abuse of this valuable and necessary privilege? Could not the traffic thus, by strict and judicious regulations, be guarded from excessive abuse, and thus come into the hands of a better class, who would be ashamed and afraid of the base practices of extortion, of violating regulations of which they should be previously sworn to obey, as well as not to convey important or treasonable information to the enemy?

There is one view of this subject which is irresistible, and affords, in my opinion, the strongest proof in behalf of the soundness of the arguments in favor of the regulated toleration of this trade of smuggling; that is, that in spite of all efforts it has continued and will continue to exist. For, in spite of the regulations of the enemy, their officers, from the corporal up to the highest general, take a share in and permit it, as do their civilians from the highest to the lowest. And so with our side; officers of all grades and civilians of all positions are said to have been even scandalously engaged in it—engaged in it to an extent that they would not have been if the traffic were openly permitted and regulated in a manner which would be to the advantage of the country. As it now exists it causes a sympathy with the abandoned trader, and even with the corrupt and smuggling enemy, which

demoralizes our people, and especially that class whose pride and patriotism (to get them in the Army) have to be prompted by the severity of military law and enforcement.

Gentlemen, these are not my opinions only; I share them with the most intelligent, patriotic, and devoted to our cause; and were you present and witnessing this traffic and the course it is assuming, you would come to the conclusion (I strongly believe) that for the benefit of our cause it should be tolerated, but regulated and repressed in such a manner that the Confederacy might reap its benefits. That it can be so regulated I entertain not the least doubt, from propositions which have been made by foreigners, some of which have come to my ears. I refer you to the bearer, Mr. Addison, for the details of matters on this subject as they exist here (a very selected point for the Yankees to obtain their more than gold-prized article of cotton). Mr. Addison can give you numerous facts in relation to it, which to enumerate here would lengthen this communication to a tedious extent. The bearer will inform you that I hold a very disinterested position in the expression of opinions which I have given in this communication, because he will inform you that although my family and about 200 slaves have been for a long time on half rations, that I have up to this time—notwithstanding my advocacy of a regulated trade and of my belief that the Government winked at such a regulated trade, yet because I feared to be identified with those who so scandalously abuse it—I have up to this time refrained from the least participation in it.

With my apologies for so long a communication, and with the hope that it will receive your due attention,

I remain, gentlemen, your obedient servant,

F. D. CONRAD.

BENTON, MISS., *October 5, 1863.*

Hon. JEFFERSON DAVIS,
Richmond:

DEAR SIR: The real and admitted disloyalty, discontent, and desertions in our Army and manifest indifference among our people at home is attributable to many causes. I have lately mingled much with all classes of our people, and in different sections of this State. I have made it my earnest business to ascertain the mind of all classes and the causes moving upon them. They may be stated as follows:

First. Poverty and destitution in the necessaries of life among the families at home.

Second. The inability of the soldier and family, with the greatest economy, industry, self-denial, &c., to obtain the necessaries of life at the present extraordinary rates demanded.

Third. The intolerable abuse made by certain exempts of their freedom from the service to speculate, not only upon their own labor, but upon all articles of prime necessity, looking only to their selfish avarice and private fortune.

Fourth. The open and palpable failure of many officers to enforce the conscription law against many exempt conscripts who are prostituting their trades and exemptions to the foulest extortions.

Fifth. The mysterious discharge of many able-bodied conscripts at conscript offices and the conscription of many who should be discharged, showing either partiality and corruption or great incompetency.

Sixth. The utter incompetency of many officers in every branch of service from their drunkenness, absence from duty, &c.

Seventh. The appointment and detail of able-bodied conscripts to little, petty offices at home, such as tax collectors in kind and cotton buyers in counties, police districts, or beats, and enrolling officers, &c.

Eighth. The exemptions in part, not because the law is really unwise and should be offensive, but because many of the exempts make themselves and their trades engines of oppression to all classes, and especially to the poor. Doctors, blacksmiths, tanners, shoemakers, and artisans generally, together with all speculators, constitute the main body of extortioners. They are the men who are depreciating our currency and shaking our Army and country from center to circumference. There are plenty of old men and women to teach our schools; there are plenty of old physicians to do our practice; there are plenty of old men and negroes to do our tanning, shoemaking, blacksmithing, &c., and if they should extort or refuse Confederate money, why not conscript or impress them, not by age, but for their practice and conduct?

The want of a proper enforcement of existing laws and the want of further stringent legislation is deeply felt, and if not early remedied must prove a bane and destruction to our cause and country. All departments of life should be duly adjusted pending a war, as well as in peace, but those who might be useful to the public at home should be placed in the Army the moment they turn speculators and extortioners or fold their arms in idleness. It is a fact very notorious that even the Government has made many contracts with exempts within conscript age and ability, at the most extraordinary prices, instead of conscripting the parties. If speculation and extortion are not put down speedily and effectually our country will be completely ruined, and that very soon. The complaints stated are founded in truth, and are general. There is too much favoritism, partiality, and evasion in the enforcement of existing laws by subordinate officers. The loyal can only admit that the complaints are true, for they are self-evident to every observer. I could be more specific and give names—persons, officers, and localities—but it is a general thing and not an exception to be specified; and besides, I am not solicited to give such information, nor has the citizen been requested generally to do so; and when they have volunteered to do so they have been singled out by certain delinquent and drunken officers as the objects of oppression. The tax imposed on certain trades and traders only promotes extortion to cover the taxes and afford an excuse for extortion. Extortioners and speculators must be bridled some other way. The year's wages of a soldier and the labor of his family for a year will not buy the cards, wheel, loom, and salt necessary for the family, to say nothing of meat, horses, shoes, bread, &c., nor can the Government advance his pay to do so. The prices of these things must be brought down. It is the spirit of speculation and extortion that makes these articles so high, and not the absolute scarcity of them. The people are encouraged to pay such prices by being told by the speculator that the money is bad and will soon be worthless. Substitution has been a great evil in many cases. Very worthless men have been bought at high prices into the service as substitutes, while generally the principals have gone into speculation and extortion to reimburse themselves for the money they have expended for substitutes. Indeed, so far as my observation extends, the principals who have purchased

their exemption by substitution have done so in order to speculate, and were either then engaged in the business or soon entered upon it, except now and then an honest planter. Why not put these principals in the war where their substitutes have been lost to the service, not by the casualties of war? Substitution by the law was merely permissory. It was not in the nature of a contract with or grant from the Government, but a mere indulgence, accommodation, privilege, and dispensation granted to the principal with the tacit condition that no loss to the Government should be occasioned thereby; and hence any law requiring the principals of any date to resume their services where the substitute has been lost, not by the casualties of war, would not and could not be obnoxious to the charge of being ex post facto, or impairing the obligation of contracts. If I owed my country 365 days' labor I have not discharged the debt by putting a laborer in my place who deserts in 100 days. It is a debt that only can be paid in labor. It is a debt due from the principal, and if the substitute deserts before the whole labor is performed the remainder certainly is the debt of the principal and not the absolute debt of the substitute, who never really owed the Government anything, but was merely permitted by the Government to work out the labor debt for another man, if he would do so, and was not taken in absolute payment of the whole debt. As between the Government and principal there was no contract or grant. There was a contract between the principal and substitute, but the Government was no party to it, and if the substitute violates the contract the principal has his recourse upon him and not upon the Government; nor has the Government any recourse upon the substitute further than to arrest and punish him for a violation of the military law, and, if it chooses to do so, to compel him to further service; and this, not upon any contract or grant, but from the necessity of self-preservation and further indulgence or dispensation to the principal.

Pardon me for these suggestions. I do not propose to provoke an answer, but trust that it is the right and the duty of every citizen without apology to place before you the benefit of his observations with such suggestions as his mind may desire to present. The duties of your office exclude you from that sphere and travel of life in which these evils are common, which would enable you to see and know them for yourself.

Accept for yourself the high regard and best wishes, personally and officially, of

Your friend, truly,

ROBT. S. HUDSON.

[Indorsement.]

DECEMBER 3, 1863.

Respectfully referred, by direction of the President, to the Honorable Secretary of War, whose attention is invited to what the writer says about conscript officers and substitutes.

BURTON N. HARRISON,
Private Secretary.

RICHMOND, *October 7, 1863.*

General G. J. PILLOW,
Marietta, Ga.:

In assigning you to conscription duties in Alabama and Mississippi it was not designed you should control or in any way interfere with the officers who are on that duty under the Bureau of Conscription in this city. The Secretary of War desires to see you here, and you will consider this an order to come.

S. COOPER,
Adjutant and Inspector General.

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
DEPT. OF TENNESSEE, ALABAMA, AND MISSISSIPPI,
Marietta, Ga., October 8, 1863.

Col. BENJAMIN S. EWELL,
Assistant Adjutant-General:

I sent you, for the information of General Johnston, last night a copy of telegram from Secretary of War. This dispatch is difficult to understand in connection with the telegram from Secretary of War to General Johnston saying, "This Bureau claims no jurisdiction over conscription in Alabama, Mississippi, and Tennessee; the control was transferred to you entirely and is subject to be delegated by you to any extent." It does not become me to make any remarks on the construction now placed by the Secretary on his own order. Since I assumed control, however, over the organization all the officers of that Bureau have been ordered to report to me, and I suppose not less than 1,000 cases originating in that Bureau have been referred to me by the Secretary himself for decision. The general, however, understands this subject, and I deem it wholly unnecessary to say more in this communication upon that subject. I do not know for what purpose I am ordered to proceed to Richmond. I send the general a report of the work of the bureau, which has only been organized and at work about four weeks, but mostly with inadequate supporting forces. With only partial reports from the newly organized rendezvous and outposts in Mississippi, and with no reports for last month from half the rendezvous in Alabama, my reports show a total of 7,336, not including a man from any camp of the Richmond bureau, whose reports have not reached me. My supporting force, which had to be raised and organized, amounts to about 2,000 men, the most of which are non-conscripts and were nearly all armed by myself from arms gathered up by officers of the bureau. Full reports from all the rendezvous and outposts and camps for the month of September would swell the reports of its work to 15,000 men for work, amounting to about one month for the whole organization. I am satisfied that the organization, being now in full operation, is daily adding 500 men to the different armies. My work, however, will be suspended by this order of Secretary. While I would do anything for General Johnston and for the country, yet it is impossible for me longer to continue in my present position. It needs no explanation why I take this course. General Johnston will understand it.

Respectfully,

GID. J. PILLOW,
Brigadier-General, C. S. Army, Superintendent.

[Inclosure No. 1.]

Reports from rendezvous in Alabama.

Colonel Lea, commanding rendezvous at Blountsville, Ala., for month of August:		
Volunteers	93	
Conscripts	28	
Stragglers	25	
Deserters	101	
Not classed	60	
Total		307
Lieutenant-Colonel Echols, commanding rendezvous at Selma, Ala., for August and September:		
Volunteers	147	
Conscripts	20	
Stragglers	1,042	
Deserters	59	
Paroled prisoners	813	
Total		2,081
Colonel White, commanding rendezvous at Montgomery, Ala., for August and to September 25:		
Volunteers	81	
Conscripts	4	
Stragglers	843	
Deserters	22	
Total		950
Lieutenant-Colonel Estes, commanding rendezvous at Tuscumbia, Ala., for August:		
Volunteers	92	
Conscripts	49	
Stragglers	137	
Deserters	28	
Total		306
Colonel Miller, commanding rendezvous at Mobile, Ala., for September:		
Volunteers	228	
Conscripts	297	
Stragglers	34	
Total		559
Captain Magruder, commanding rendezvous at Butler, Choctaw County, Ala., for September:		
Mostly conscripts sent to camp of instruction, Enterprise, Miss	109	
Paroled prisoners	100	
Total		209
Major Falconnet, commanding rendezvous at Decatur, Ala.:		
Stragglers		109
Major Stone, commanding rendezvous, Camden, Ala.:		
Half of month, September		58
Captain Echols, commanding rendezvous at Cedar Bluff, Ala.:		
Not classed		113
Lieutenant-Colonel Pennington, commanding rendezvous at Livingston, Ala.; but one report:		
Not classed		33
Alabama officers, not stationed:		
Not classed		132
Major Mason, commanding rendezvous at Grove Hill, Ala.; weekly report:		
Conscripts	13	
Deserters	9	
Total		22

Major Hunt, commanding rendezvous, West Point, Ga.; *a* from September 3 to October 7:	
Mostly stragglers	120
Total from Alabama	4,999

Reports from rendezvous in Mississippi.

Colonel Wilbourn, commanding rendezvous at Brandon, Miss.; two weekly reports in September:	
Not classed	144
Major Hale, commanding rendezvous at De Kalb, Miss.; two weekly reports in September:	
Not classed	310
Colonel Magevney, commanding rendezvous at Okolona, Miss.; two weekly reports in September:	
Not classed	401
Colonel Hardcastle, commanding rendezvous at Aberdeen, Miss.; three weekly reports for September:	
Not classed	133
Lieutenant-Colonel Patrick, commanding rendezvous at Grenada, Miss.; one report in September:	
Not classed	56
Major McLemore, commanding rendezvous at Augusta, Miss.; one report in September:	
Not classed	29
Colonel Morton, commanding rendezvous at Columbus, Miss.; two reports for September, including one from Dowd:	
Not classed	378
Total from Mississippi	1,451
Major Butler, commanding rendezvous at Rome, Ga.; half month of September:	
Stragglers 116	
Conscripts sent from Alabama 3	
Total	119
Georgia officers, not stationed:	
Stragglers	365
Total from Georgia	484
Major Hopkins, commanding rendezvous at Chattanooga, Tenn.; one report in August:	
Stragglers	25
One report from Captain Clayton, Sixtieth North Carolina:	
Deserters	48
Officers from South Carolina, not stationed:	
Deserters	55
Total from rendezvous officers	7,062

Reports from officers Richmond Conscription Bureau.

One report from Talladega, Ala., in September:	
Deserters	13
No report from camp of instruction, Notasulga.	
One report from Major Clark, Enterprise, Miss., monthly report, September 7	261
Total from Richmond Bureau officers	274
Total from rendezvous or supernumerary offices	7,062
Grand total	7,336

a West Point is on Alabama line, and Major Hunt operated almost exclusively in Alabama. Did not exercise the right of conscription in Georgia.

The conscripts from camps at Talladega and Notasulga, Ala., have per General Johnston's orders been sent to Mobile, Ala. Orders have been given to send conscripts from Alabama in future to the Alabama regiments in Army of Virginia; conscripts from Enterprise, Miss., were by orders of General Johnston sent to Mississippi regiments in army in Virginia. How many were sent from camps in Alabama and Mississippi is not known, no reports thereof having been sent to these headquarters.

There are but partial reports from rendezvous in Mississippi for month of September and one-half rendezvous from Alabama. If reports were all in they would swell this report, I think, to 12,000 men sent to the Army since the 1st of August, when I commenced to reorganize the bureau. I was six weeks at this work. There is not more than four weeks' labor for the bureau, and no reports for nearly half of the bureau for September. These twenty-six supporting companies of cavalry, most of whom are non-conscripts raised, organized, and armed by me with arms gathered up over the country during the same time. Add the conscripts from camps of instruction, which are not embraced with the exception of 278 men above, no reports being received, and it would swell the reports to about 15,000 for about one month. The work of the bureau now averages 500 per day, according to my reports lately sent in.

GID. J. PILLOW,
Brigadier-General, C. S. Army, Superintendent.

[Inclosure No. 2.]

Cavalry companies received as supporting force to the Volunteer and Conscript Bureau, Department of Tennessee, Alabama, and Mississippi.

1. Capt. M. Davenport, De Kalb County, Ala.
2. Capt. J. M. Clifton, Cherokee County, Ala.
3. Captain Millsaps, Cherokee County, Ala.
4. Captain Bowie, Talladega, Ala.
5. Captain Lipscomb, Carrollton, Ala.
6. Captain Foard, Greensborough, Miss.
7. Captain Red, Kosciusko, Miss.
8. Capt. H. H. Shackelford, Grenada, Miss.
9. Capt. J. G. Ryan, Carrollton, Ala.
10. Capt. J. E. Hunt (unassigned).
11. Capt. H. H. W. Boggan, Itawamba County, Miss.
12. Captain Thompson, Grenada, Miss.
13. Captain Harper, Eutaw, Ala.
14. Captain Mull, Monticello, Miss.
15. Captain Muldrow, Columbia, Miss.
16. Captain Ferguson, Carrollton, Ala.
17. Capt. Thomas K. Truss, Elyton, Ala.
18. Captain Love, Decatur, Ala.
19. Captain Jennings, Enterprise, Miss.
20. Captain Smith, Randolph County, Ala.
21. Captain Moses, Chambers County, Ala.
22. Captain Moore, Elyton, Ala.
23. One company at Fayetteville, Ala. (Captain not known.)
24. One company at Jasper, Ala. (Captain not known.)
25. One company at Montgomery, Ala.
26. One company at Tuscumbia, Ala.

Composed of conscripts and non-conscripts and are armed with guns I had gathered up over the country.

GID. J. PILLOW,
Brigadier-General, C. S. Army, Superintendent.

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT,
Columbia, October 8, 1863.

Hon. J. A. SEDDON,
Secretary of War:

SIR: I have the honor to inclose you a copy of a report of resolutions adopted by the Legislature at its late session, to which I beg to call your earliest attention.

I am, sir, very respectfully, your obedient servant,
M. L. BONHAM.

[Inclosure.]

The committee on Confederate relations, to whom was referred so much of the Governor's message as relates to "the system of impressment adopted by the Confederate Government," beg leave to report:

That in the short time allowed they have not been able to gather very definite information on the subject, but enough to satisfy them that serious grievances are committed in the manner of executing the impressment law. Such a law can be justified only by necessity, and even then should be enforced equitably and discreetly. These considerations have not been sufficiently regarded. Your committee are informed that impressments are unnecessarily made at some convenient spot, when the things required might be obtained by purchase a short distance off, if the officer would take the trouble to go after them; that the provisions of the law requiring a sufficiency to be left for the use of the owner and his family is not always attended to; that to save trouble the impressing officer will sometimes allow persons who are not convenient to him to go free, while those who are so unfortunate as to be within his grasp are stripped; and that in some cases supplies set apart to answer the tax in kind are not called for, while impressing goes on in the neighborhood, because it gives less trouble. These things are greatly to be deplored. Besides being wrong their tendency is to render Government officers odious, if not to produce violent opposition, and to destroy that hearty co-operation of the aggrieved persons in the conduct of the war which is essential to its success. But the redress provided by the act, namely, the punishment of offenders by court-martial, is quite inadequate, and the course pursued by the Governor seems to the committee to have been very judicious and proper. They accordingly recommend the adoption of the following resolutions:

Resolved, That this General Assembly heartily unites with the Governor in his appeal to the Confederate Government to have the impressment law faithfully and discreetly executed, and that His Excellency be requested to communicate this resolution to the Secretary of War.

Resolved, That His Excellency the Governor be requested to confer with the Secretary of War and procure, if practicable, his consent to allow the board of relief for soldiers' families in any district in which the Governor shall be satisfactorily assured that there is a deficiency

of supplies for subsistence of such families, to receive of the agent of the Government the provisions which may be levied in kind in such districts, on paying a commutation in money therefor at Government rates, under such regulations and restrictions as may be judged proper.

Respectfully submitted.

HENRY D. LESESNE,
Chairman.

IN THE SENATE,
September 25, 1863.

Resolved, That the Senate do agree to the report.

Ordered, That it be sent to the House of Representatives for concurrence.

By order:

WM. E. MARTIN,
Clerk of Senate.

IN THE HOUSE OF REPRESENTATIVES,
September 28, 1863.

Resolved, That the House do concur in the report.

Ordered, That it be returned to the Senate.

By order:

JOHN T. SLOAN,
Clerk of the House of Representatives.

SENATE CHAMBER,
Columbia, October 6, 1863.

I hereby certify that the foregoing is a correct copy of the report and resolutions of the Committee on Confederate Relations as they passed the two houses of the Legislature at its late session.

WM. E. MARTIN,
Clerk of Senate.

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT,
Columbia, October 8, 1863.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

SIR: I have the honor to inclose you a slip containing Major Melton's conscription notice and my proclamation thereon. I had hoped the Legislature at its regular session would take the matter of exemptions under consideration and make such arrangements as would relieve us all of embarrassment. Having convened them, however, in extra session, I committed the matter to their consideration then, as you will perceive by my message, a copy of which I sent you. The shortness of their session may possibly have prevented their considering this matter. As they convene in less than two months, I submit whether it will not be better to suspend any further action till their next meeting, especially as it will in many parts of the State cause great inconvenience if the overseers are taken off before the end of the year.

Very respectfully, your obedient servant,

M. L. BONHAM.

[Inclosure No. 1.]

Conscription notice.

HEADQUARTERS CAMP OF INSTRUCTION,
Columbia, S. C., October 1, 1863.

I. All overseers and owners of plantations to whom certificates of exemption have heretofore been granted under act of Congress approved October 11, 1862, are hereby ordered to report to the enrolling officers of their respective districts to be enrolled for service. Also, all persons who have hitherto been withheld from conscription by reason of claiming exemption under the laws of the State.

II. Persons liable to enrollment for service under the foregoing order will be allowed to go forward as volunteer recruits, provided they report to the enrolling officer of their respective districts indicating the companies of their choice and go forward by the 26th of October instant. All persons so reporting will be furnished with certificates by the enrolling officers stating that they volunteered and selected their companies before enrollment.

III. The privilege of volunteering hereby extended is, under the order of the War Department, subject to these restrictions: That no one of conscript age shall volunteer into any company organized since the 16th day of April, 1862, nor into any company which may be already full. And the commandant of conscripts is required to make requisition for the return to the camp of instruction of every person who shall go forward without first reporting to the enrolling officer of his district, and for every person who shall be mustered into any company which is already full, or into any company organized since the 16th day of April, 1862.

IV. Any overseer who was employed and acting as such at the date of April 16, 1862, and has continued so to act, but is not now engaged on a plantation which entitles his employer to claim the exemption of such overseer, will be permitted to take employment on any plantation which, under the provisions of the act of Congress approved May 1, 1863, is entitled to the exemption of an overseer, and on the compliance of his employer with the provisions of said act such overseer shall be exempted.

V. By section 3 of the act of Congress approved May 1, 1863, the exemption is authorized of such other persons as "the President shall be satisfied ought to be exempted in districts of country deprived of white or slave labor necessary for the support of the population remaining at home, and on account of justice, equity, and necessity."

VI. Applications for exemption under the section recited should be addressed to the Secretary of War, setting forth all the material facts, and should be sworn to by the applicants and verified by the oaths of at least two respectable citizens who are cognizant of the facts to which they affirm. When so verified they should be left with the enrolling officer for investigation, who will forward them through these headquarters with his report on the facts.

VII. All applications for information in reference to exemptions or to matters pertaining to the conscription or to the going forward of volunteer recruits should be made to the local enrolling officers.

C. D. MELTON,
Commandant of Conscripts.

[Inclosure No. 2.]

PROCLAMATION.

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT,
Columbia, October 4, 1863.

Whereas, Maj. C. D. Melton, commandant of conscripts, under the Confederate Government, for the State of South Carolina, issued on the 1st of October instant, an order requiring "all persons who have hitherto been withheld from conscription by reason of claiming exemption under the laws of the State" to report to the enrolling officers of their respective districts to be enrolled for service; and

Whereas, it is held by the Executive of the State that all exemptions from military service provided for by the convention of this State and other competent State authority are valid in law and should be insisted on, of which notice has from time to time been given to the commandant of conscripts:

Now, therefore, I, Milledge L. Bonham, Governor and commander-in-chief, do direct all citizens of this State holding exemptions from the adjutant-general's office and otherwise exempt by the laws of this State to claim their exemptions from Confederate service before the enrolling officers of the Confederate Government and to notify the adjutant-general of the State of such claim, to the end that the question may be submitted for the decision of some competent legal tribunal.

Given under my hand and the seal of the State, at Columbia, this 4th day of October, in the year of our Lord 1863, and the eighty-eighth year of the sovereignty of the State.

[SEAL.] M. L. BONHAM.

WM. R. HUNTT,
Secretary of State.

RICHMOND, FREDERICKSBURG AND POTOMAC R. R.,
PRESIDENT'S OFFICE,
Richmond, October 9, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: Your note dated the 3d, and postmarked the 6th instant, in reply to mine of the 30th ultimo, in relation to the importation by other railroad companies of supplies necessary for the maintenance of their railroads, has duly arrived. You state that you should prefer that the presidents of the railroads should correspond among themselves or assemble by their own arrangement to consider the subject. This company and the others that have already succeeded in procuring supplies through the agency of Captain Robinson have no longer any special interest in the subject. Any invitation to such a convention from them to other railroad companies, and any suggestions made by them at such a convention called by them, would very probably be considered an officious intermeddling in the affairs of others by persons having no concern in them, and be disregarded, and would certainly fail to carry with them any weight or authority. But from the Secretary of War, charged with the function and responsibility of maintaining the military transportation of the Confederacy, and for that purpose clothed by the act passed at the late session of

Congress with the eminent authority to compel all railroad companies to maintain in efficient condition their roads and machinery, or in default of their doing so to do it himself at their expense, taking possession of them if necessary, such a convocation and such suggestions, with the offer of such facilities as the Government can and does afford, would come with peculiar propriety and persuasive authority. For these reasons, while I shall be always most willing and ready to contribute every exertion I can make toward accomplishing what is so important, so essential to the success of our cause, I must respectfully leave the subject with you, not doubting that you will appreciate its urgent importance, nor the special facilities just at this time presented by Captain Robinson's recent successful mission and opportunities for further negotiations and by the present improved aspect of our military operations.

With great respect, your obedient servant,

P. V. DANIEL, JR.,
President, &c.

MERIDIAN, *October 10, 1863.*

General S. COOPER,
Richmond:

There seems to be misapprehension in the War Office of General Pillow's position. Orders from it are sent to him directly, and your dispatch ordering him to Richmond indicates that he was assigned by you, and was exceeding his authority. Full authority over conscription in Tennessee, Alabama, and Mississippi, for benefit of troops of those States serving in them, was conferred on me, and General Pillow was acting under my orders. See my telegram to Secretary of War dated June 28, and those to me of Acting Chief of Conscript Bureau, Lieutenant-Colonel Lay, dated June 30 and July 31. If authority conferred on me is withdrawn, I ask official information. If not, I suggest the propriety of sending orders of War Department to me instead of directly to my subordinates.

J. E. JOHNSTON.

CONFEDERATE STATES OF AMERICA, WAR DEPT.,
BUREAU OF CONSCRIPTION,
Richmond, Va., October 11, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I regard it as imperatively demanded for the good of the service that I visit and in person inspect the camps of instruction in North Carolina, South Carolina, and Georgia, and it may be necessary for me to go to Alabama and Mississippi. Besides this inspection I deem it important to have personal conferences with the executive authorities of the three first-named States. What appears to me a lack of appreciation of the importance of the duties intrusted to this Bureau and of the necessities of the Government has caused the Governors of South Carolina and Georgia to interpose impediments to the performance of those duties, which I hope to induce them to remove by direct representations and appeal. It is only the urgent import of this matter which reconciles me to leaving the Bureau for an hour. Under your earnest and enlightened instructions I think I have succeeded in starting it into vigorous and successful action. I can repeat

in full faith that I believe its existing agencies to be entirely sufficient for all the purposes contemplated by the conscription policy; that at this moment they are sending into service every man in the Confederacy who is liable, and that they will continue to do so, and that no other form or mode of recruiting will be as effectual. Besides this, law, justice, and equity are now so administered by the officers as to reconcile the people of the country to the necessities of the public defense, and at the same time to provide for its production and police. The military force of the Government is strengthened by a careful regard to the productive power and by bringing (by just and legal proceedings) the aid of public sentiment to sustain our efforts. If conscription were the sole and exclusive source of supplying the armies it would, under its present mode of administration, very soon be regarded as honorable and just, and people would enroll themselves for the Army as a customary duty and not an enforced service. Military enforcement will not effect this, nor will it send men into the field. I feel justified in the unqualified recommendation that all other modes of supplying the armies be abandoned.

For the extraneous duties assigned to the Bureau your instructions and allowances, if they can be carried out, are amply sufficient. With a permanent force of six or eight companies of well-equipped men in each State, under the orders of the Bureau and the privilege of occasional aid from neighboring armies, all delinquencies, desertions, and unauthorized absences can be effectually remedied. I ask no more for any probable demand for these purposes. For the purposes of obtaining such statistical information as may be useful to the Department or to Congress, I have required of the enrolling officers to make investigations and report upon all matters which seem to me to bear upon the military capabilities of the country, as well as the actual condition of the military force not actually in the field. I hope by the 1st of December to have approximate returns.

On leaving Richmond at this time I feel perhaps too anxious that the measures I have adopted under your instructions may not be disturbed. I have thrown every energy of my mind and heart into the service to which you have assigned me. Directed by your clear and enlightened judgment I mean to make the operations of this Bureau successful to the full extent of the law and orders. Impelled by duty and pride to the effort, I know you will pardon the seeming irregularity of the earnest request that no organic or substantial changes be authorized before my return.

I have the honor to be, your obedient servant,

JNO. S. PRESTON,
Colonel and Superintendent.

MERIDIAN, MISS., *October 11, 1863.*

General S. COOPER,
Adjutant and Inspector General:

SIR: On the 28th of June last I telegraphed to the Honorable Secretary of War as follows:

The conscript law is not enforced in Tennessee, Alabama, and Mississippi. I ask authority to enforce it for the benefit of the troops of those States serving in them, &c.

The reply by telegraph from Lieutenant-Colonel Lay, assistant adjutant-general, dated June 30, transferred the conscript service in these three States named to me, and informed me that the three State

commandants would be ordered to report in person to me. On the 31st of July the following telegram was received from the Bureau of Conscription:

General J. E. JOHNSTON,
Commanding, &c.:

The Adjutant and Inspector General has desired me to answer your telegram of inquiry respecting the extent of General Pillow's jurisdiction. This Bureau no longer claims any jurisdiction over conscription in Alabama, Mississippi, and Tennessee. The control was transferred to you entire in my dispatch of June 30, and is subject to be delegated by you to any extent.

G. W. LAY,
Lieut. Col., Assistant Adjutant-General, Acting Chief of Bureau.

In order to bring into the ranks as soon as possible all conscripts not of service in my (then) command, I placed at the head of my conscript bureau Brigadier-General Pillow, whose zeal, vigor, and capacity were well known to me, and added to the organizations transferred to me by the Conscript Bureau three regiments. After these arrangements were completed I was called away from my headquarters. Since my return, five or six days ago, I have received from General Pillow copies of orders sent to him from the War Department which virtually annul the authority conferred upon me and take from General Pillow the power to be useful by depriving him of authority. I respectfully submit that the position to which that officer is now reduced is much below his rank and official merit. My object in proposing to be allowed to enforce the conscript law was to fill promptly the ranks of the Tennessee, Alabama, and Mississippi regiments. Believing the law to be inoperative in the States designated, I did not hesitate to make the proposition which was accepted by the War Department. Yet I am informed by Brigadier-General Pillow that he had received orders from the War Department that none of the conscripts collected by the officers and troops of my command should be assigned to it, but be sent into Virginia. My object being thus defeated, I respectfully ask that the authority given me be formally rescinded and that of the Conscript Bureau re-established in this department and that of the Gulf; that, being unable to strengthen my few brigades by conscripts, I may increase them by restoring the regiments taken from them for the purpose of collecting conscripts. The organization of the Bureau of Conscription will, of course, still remain.

Most respectfully, your obedient servant,

J. E. JOHNSTON,
General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., October 12, 1863.

Brig. Gen. G. J. PILLOW,
Marietta, Ga.:

GENERAL: Your letter of the 5th instant has been received. Conscripts from disaffected districts and deserters (who are, more correctly, only absent without leave or stragglers) may be properly sent to the Virginia army, but care must be taken not to make that gallant army a Botany Bay for ruffians or cowards.

Respectfully,

JAMES A. SEDDON,
Secretary of War.

RICHMOND, *October 12, 1863.*

Maj. J. B. FERGUSON,
Quartermaster, C. S. Army:
(Care of Fraser, Trenholm & Co., Liverpool, England.)

SIR: There is at length a prospect of your receiving a portion of the funds required for expenditure abroad. The sum of £85,000 has been apportioned to this department from a sum at the command of the Secretary of War in England, and a draft will be remitted by this mail for the amount upon C. J. McRae, esq. I have heard, too, incidentally, that you were furnished on the 29th of August last, by Messrs. Collie & Crenshaw, with the sum of £20,000. The purchases made with this latter sum are, I trust, near at hand. In fact, I look with some expectation to the steamer Dee, just arrived at Wilmington, with a cargo not reported. The other sum you will expend in blankets, shoes, and material for overcoats, as heretofore instructed, these being the articles most needed. I inclose you a circular* which will guide you in selecting and assorting the shoes with reference to the numbers most in demand. There is not a day to be lost in forwarding these supplies. So much time has already been lost in providing funds in Europe that winter is almost upon us, and we have barely time, using the utmost dispatch, to procure from abroad some of those essential articles of supply which cold weather will render a necessity and which the exhausted condition of home resources forbids that we should expect to procure here. You will therefore purchase, to the extent of the means provided, without delay, and avail, as your discretion may suggest, of the speediest and most reliable opportunity to ship the stores to the Confederate States. You had better make your shipments via Nassau during the winter months, as I understand that the opportunities to forward from that point are better during that season than offer at Bermuda. The early receipt of these supplies is rendered the more necessary by the fact that our depots are bare, and that a valuable cargo of blankets, shoes, and woolens forwarded by Major Waller from Nassau in the Hebe proved a total loss, with that steamer. I have endeavored to replace that cargo, and more, by extending to Major Waller (who was sent to Nassau to forward quartermaster's supplies in store there) facilities for buying, through limited shipments of cotton, certain supplies which he reports can be had at reasonable prices.

At the earliest practicable day after the receipt of this advise me fully of progress made and your future prospects. Write fully, too, in relation to the market, giving a list of the prices that rule for all articles of clothing required by this department, together with samples of quality if they can be furnished. Any suggestions, too, touching the general interests of this department will be acceptable. Your experience and opportunities for observation should afford some.

A. R. LAWTON,
Quartermaster-General.

RICHMOND, *October 12, 1863.*

Maj. J. B. FERGUSON:
(Care Messrs. Fraser, Trenholm & Co., Liverpool, England.)

SIR: In connection with a letter of instructions forwarded by this mail, I deem it proper to advise you briefly of material changes made

*Not found.

in connection with the manner of remitting and controlling Government funds abroad.

By a recent arrangement, C. J. McRae, esq., has been constituted the sole depositary abroad, on whom the Treasury Department will draw in favor of any disbursing officer connected with either of the bureaus of the War Department. The proceeds of such remittances are to be deposited with Fraser, Trenholm & Co., and Mr. McRae has been authorized to transfer, in case of necessity, any balance from one account to another, so as to meet the pressing needs of one bureau by issuing any surplus not immediately required by another. It is also made your duty to report to him all contracts now outstanding, or that may hereafter be made, exhibiting the amounts to be paid on them and the dates at which the payments fall due. All bonds and other Government securities in the hands of agents of the War Department are to be turned over to Fraser, Trenholm & Co., but of these I believe you hold none. Messrs. Fraser, Trenholm & Co. are instructed to report to Mr. McRae, whenever required, the balance in hand to the credit of the different bureaus, and to apportion the sums in their hands as directed.

That Mr. McRae may exercise understandingly this discretion, so far as the interests of this Bureau are concerned, it will become your duty to keep him advised in a general way of its necessities. I have written him briefly on the subject and invited in your behalf his favorable consideration. There are really no supplies of certain descriptions here, and of all kinds there is a great deficiency in the depots, and it is of the first importance that our wants be relieved, and that promptly, from abroad. You will spare no effort to accomplish this end, and I will use every endeavor to provide you from time to time with more funds.

Shipments of cotton may be relied on in part to provide means. The Government steamers proper are devoted exclusively to the service of the Ordnance and Medical Bureaus. The Collie Line, of which you no doubt have heard, is set apart for the wants of this and the Commissary Bureaus. Through the space, too, allowed the Government in every private vessel clearing from a Confederate port we are sometimes enabled to ship cotton. By the terms of the contract with Collie & Co. the cotton carried on their steamers is consigned to and sold by them and the proceeds invested in such supplies as may be called for. You will confer, therefore, with these gentlemen and keep them advised of the wants of the department, and they will doubtless be glad to be relieved of the duty of making purchases, and will permit you to buy as well as indicate what is wanted.

You will communicate all matters of interest connected with the prospects and management of this line of steamers which in any way affect the interests of this department, and especially in what proportion the proceeds of the cotton carried out may be divided between this and the Commissary Bureaus. Advise me, too, of the basis on which the advance of £20,000 referred to in my previous letter was made.

Cotton which is sent out by private vessels is consigned to Messrs. Fraser, Trenholm & Co., and proceeds of same on account of this department will be placed to your credit.

A. R. LAWTON,
Quartermaster-General.

RICHMOND, *October 13, 1863.*

COLIN J. MCRAE, Esq.,
Paris:

SIR: By a recent arrangement, of which you were duly advised, you have been constituted the sole depositary abroad, on whom the Treasurer will give drafts in favor of any of the disbursing officers of the War Department. You have also been authorized to exercise a control over the funds to the credit of the various agents abroad, and under certain circumstances to transfer a surplus from one to meet pressing obligations of another. I have informed Maj. J. B. Ferguson, the purchasing agent of this department in Europe, to this effect, and have likewise instructed him to keep you advised of the necessities of this Bureau, so that you might exercise properly the discretion with which you are invested. Permit me to ask for him a favorable hearing. He cannot, I assure you, present the necessities of this department in too strong a light. I have but recently assumed the control of affairs, and the condition in which I find our supplies is the occasion of great anxiety. The depots are quite bare; the domestic resources, in many particulars limited at best, nearly exhausted, and a season of the year is rapidly approaching which renders indispensable many articles of clothing, such as shoes, blankets, and overcoats, which it is impossible to provide here. I am constrained, then, to look abroad, and there I am embarrassed for want of funds. This department, with all its need, has not enjoyed facilities possessed by others for drawing from abroad, and now there is hardly time to provide them. What remains to be done must be done quickly, and I trust you will lose no opportunity to put at the disposal of Major Ferguson any funds which can possibly be spared even temporarily from other sources than may be allotted to this Bureau. I do not mean to disparage the wants of other branches of the service, but I feel a strong conviction that at this particular juncture, in view of the great scarcity of the supplies referred to and the near approach of winter, some demands made by them might be postponed for a brief season to provide for the urgent necessities of this department.

[A. R. LAWTON,
Quartermaster-General.]

RICHMOND, *October 13, 1863.*

Maj. NORMAN S. WALKER,
C. S. Agent, Bermuda:

SIR: I infer from a recent letter from Major Ferguson that there are some quartermaster's stores at Bermuda awaiting shipment to Wilmington. If so, allow me to ask that you will arrange for their immediate shipment. Major Waller was sent some two months ago to Nassau to superintend the forwarding of some supplies that had accumulated at that point, and I had purposed that he should visit Bermuda also, but I find that he will be delayed at the former place too long, and so am constrained to call upon you to give special attention to this matter. Our wants in regard to all articles of clothing, especially blankets, shoes, and heavy cloth for overcoats, are so great that it is of vital importance that we should receive promptly all that can be had.

Will you do me the favor to report at an early day to what extent and at what prices supplies of the character referred to can be had

in Bermuda? Some 20,000 shoes and like number of blankets, with quite a lot of woolens, have been arranged for in Nassau, and if a like supply could be drawn from Bermuda it would greatly relieve the first pinch of winter and save suffering. It is only such considerations that induce me to look to these points for a limited supply, in the hope that time may be saved.

Should the condition of the market at Bermuda permit, and you be able to purchase promptly with funds at your command, that course will be most acceptable to me and of great benefit to the service, and I will take immediate steps to have the expenditure refunded; or if you can purchase now on the faith of cotton to be delivered at Bermuda at ruling prices, I will see to the execution of the contract.

Favor me, if you please, with a response at your earliest convenience.

A. R. LAWTON,
Quartermaster-General.

[OCTOBER 14, 1863.—For address of Jefferson Davis to the soldiers of the Army of Tennessee, see Series I, Vol. XXX, Part IV, p. 744.]

RICHMOND, *October 14, 1863.*

Circular letter to General Joseph E. Johnston, General Pillow, and others.

The Secretary of War directs me to say that for the more speedy recruitment of the armies of the Confederacy under present exigencies the authority to enforce the conscript law, heretofore reposed in General J. E. Johnston, within the limits of Mississippi, Alabama, and Tennessee is continued, and the organizations and arrangement authorized by him, with a view as well to the enforcement of that law as for the arrest and return of deserters and stragglers, are left in operation under his sanction until further orders, but in the execution of the conscript law the right of appeal in regard to the allowance of exemption must exist in the Department, in all cases, and the class of cases coming under the third section of the law of exemption, resting on the discretion of the President, must be forwarded directly, with such indorsement, however, as may serve to present the true facts of the case.

State organizations embracing conscripts, except in the limited instances otherwise ordered by the Department, can be received only on the understanding that those of conscript age shall be discharged and, either by volunteering or assignment, devoted, as required by the conscript law, to filling the organizations to which that law makes them applicable.

All authorities given to raise companies where the conscript law cannot be executed by reason of the possession or control of the enemy will, on report or evidence that they have been abused to recruit those liable to conscription elsewhere, be promptly revoked and the officers, if in commission, held responsible.

All deserters or stragglers who have entered into new organizations, whether found within the lines of the enemy or elsewhere, must be returned to their original commands, and all officers having such men in their organizations are required to report and return them.

S. COOPER,
Adjutant and Inspector General.

LIBRARY OF THE UNIVERSITY

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., October 14, 1863.

His Excellency M. L. BONHAM,
Governor of South Carolina, Columbia, S. C.:

SIR: I have received your letter suggesting the temporary suspension of Major Melton's order relative to overseers. Colonel Preston has been induced to make a visit to Columbia with the view of conferring with you on this and other points on which embarrassments may arise in the execution of the conscript law. He is fully informed both as to the necessities of the service and the views of the Department for meeting them, and it is hoped the result of his conference will be to remove all prepossessions against the operations of conscription, under the regulations of his Bureau, and to secure concurrence of view and harmony of action between the Department and the authorities of your State.

With high esteem,

JAMES A. SEDDON,
Secretary of War.

RICHMOND, *October 14, 1863.*

Maj. T. L. BAYNE,
Ordnance Bureau, in Charge of Steamers:

SIR: That I may understand the resources at the command of the Government in the way of sea transports, and more especially such as may be available to meet the wants of this Bureau, and also in a general way the management thereof, will you oblige me with information on the following points, making the same as precise as you can:

First. The names and capacity (tonnage) of the Government steamers proper, and the frequency of their trips between Nassau or Bermuda and the Confederate States.

Second. The same of the steamers of the Collie Line, and its prospects for any early increase of means of transportation.

Third. The same of private vessels engaged in running the blockade.

Fourth. The facilities for shipping cotton on Government account in private vessels, and the rates of freight, and how usually paid.

Fifth. How is the tonnage on private vessels apportioned between the different bureaus?

Sixth. The freight, if any, exacted by the Government in private vessels running into Confederate ports, and how is that regulated at Bermuda or Nassau?

Seventh. What are the expectations of increasing these resources through the Thorburn contract, or any other of a similar nature?

Eighth. To which point, Bermuda or Nassau, should this department direct that supplies now being purchased in England shall be sent to insure their speedy receipt?

Ninth. Are there facilities at Wilmington for storing and compressing all the cotton sent abroad, and to what extent is a bale reduced by compression, and how many bales of compressed cotton go to a ton?

Tenth. What payments have been made by the Government on account of the Collie Line, and what information have you of advances made by them (Collie & Co.), on Government account generally, or to either this or the Subsistence Bureau?

Eleventh. What have been the receipts and shipments by the Collie Line, since its establishment, distinguishing between the bureaus interested?

Twelfth. What, in the aggregate, are the weekly or monthly shipments of cotton or other produce on Government account?

Your early attention is requested to this communication; and I have further to ask that for the future Mr. Seixas may be required to make a weekly or monthly report, showing in detail the cotton shipped on Government account and the cargoes received at Wilmington, distinguishing therein between the different bureaus, and that a copy thereof may be forwarded for the information of this office.

A. R. LAWTON,
Quartermaster-General.

Add, also, how the Collie steamers are loaded with cotton. Is the cargo made up indifferently of cotton belonging to either this or the Subsistence Department, or are the shipments distinct in their character; and if distinct, in what proportion for each department?

GENERAL ORDERS, No. 135. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, October 15, 1863.*

I. Recruiting officers and others are forbidden to grant permits to conscripts or deserters, allowing them to visit their homes, or to remain there for any purpose. The notice already given conscripts is deemed sufficient, and deserters are not entitled to indulgence.

II. All parties who have received exemption papers for disability other than those granted for permanent and decided disability, must be re-examined, and the law, which there is reason to believe is too often evaded, be in these and in all cases strictly enforced.

III. Men employed to aid enrolling officers must, if subject to conscription, be regularly enrolled; and unless detailed for the special duty in question by written orders of the War Department, will be reported to the Bureau of Conscription, to be disposed of as in other cases.

IV. Officers will be held to strict account for any violation or neglect of these orders.

V. The provisions of paragragh I, General Orders, No. 67, current series, is extended to officers of Maj. A. H. Cole's department. The payments authorized will be made by any post quartermaster.

VI. Officers and soldiers in the general service cannot be transferred to local companies, and applications therefor will not be entertained.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., October 16, 1863.

His Excellency M. L. BONHAM,
Governor of South Carolina, Columbia, S. C.:

SIR: I have the honor to acknowledge your letter of the 8th instant inclosing a copy of resolutions adopted by the General Assembly of South Carolina on the subject of impressments. It is with serious regret as well as some surprise the Department finds that the General

Assembly has thought it necessary to make an appeal to the Confederate Government to have the impressment law faithfully and discreetly executed. I have painfully realized that this law is of necessity harsh, summary, and not uniform in its action upon producers. And it has been the studious effort of the Department to temper its execution by as much of leniency, discretion, and generality as was compatible with its due enforcement or the accumulation of adequate supplies essential to the Army.

With this view special instructions have been sent from the various bureaus urging a strict observance of the limitations of the law and forbearance and consideration as far as practicable in its enforcement. It should not be forgotten, however, that this power of impressment is reposed by law in military commanders as well as in the Department, and that the exigencies of the service are specially operative upon them to induce summary and sometimes over-zealous proceedings. To what has been already done I can only add the assurance that the expressed wishes of the General Assembly of South Carolina are received with deference and consideration, and shall operate to induce, if possible, enhanced vigilance in repressing all irregularity and indiscretion on the part of the officers employed in the enforcement of the law. It is a matter of regret that complaints which come to the Department are of so vague and general a character as to render it difficult to discover instances of offense or to administer a due corrective. Information of specific cases in which the provisions or spirit of the law have been disregarded or violated have been thankfully received, and the invitation here repeated is freely given for the continuance of such reports. With reference to the further resolution of the Assembly desiring me "to allow the board of relief for soldiers' families in any district in which the Governor shall be satisfactorily assured that there is a deficiency of supplies for subsistence of such families to receive of the agent of the Government the provisions which may be levied in kind in such districts on paying a commutation in money therefor at Government rates, under such regulations and restrictions as may be judged proper," Your Excellency cannot fail to perceive this mode of relief, by withdrawing supplies intended for the Army, would increase the necessity of resorting to the very process of impressment which seems to be considered a grievance by the Assembly, as the exact amount thus withdrawn would have to be supplied by impressment. It would be tantamount to raising by that means what may be required by the boards of relief in such cases, and I am reluctant to incur the odium of impressment further than may be absolutely necessary for the supply of the Army. There would be, too, danger in the precedent set by such cases, as the supplies there procured would be at rates lower than could otherwise be obtained, and there would be numberless applications of a similar character and dissatisfaction at non-compliance with them. Of course there is no disposition on the part of the Department to diminish supplies in any district where a sufficiency does not exist for the wants of the inhabitants, but the law allows any district or county, where it is not believed to be expedient to collect the tax in kind, to be reported to the Secretary of the Treasury, and in lieu thereof the tax becomes payable in money.

It would be preferable upon proper representation made of the insufficiency of the supplies in any district for the consumption of the inhabitants that such district should be exempted. The Government would thus avoid the danger of a mischievous precedent and all the expense of collecting only to part again with the tax, while

the full amount of supplies would be left free for the relief of the inhabitants.

With high esteem, truly yours,

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., October 17, 1863.

L. HEYLIGER, Esq.,
Government Agent, Nassau, New Providence:

SIR: The Commissary-General is very anxious to receive as rapidly as possible the cargoes of meat at Nassau. The amounts heretofore sent by the steamers coming in are considered by him very scant. Consideration in apportioning cargoes must, of course, be had to the wants of other departments of the service, but none are quite so essential unless, perhaps, those for niter and lead. I shall be pleased if decided preference in freighting be given to these three articles—provisions, niter, and lead.

Very respectfully,

JAMES A. SEDDON,
Secretary of War.

[OCTOBER 18, 1863.—For Flanagin to Holmes, in relation to raising troops in Arkansas, see Series I, Vol. LIII, p. 901.]

HEADQUARTERS GEORGIA STATE GUARD,
Atlanta, October 18, 1863.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

SIR: I inclose to you a letter just received from His Excellency Joseph E. Brown, Governor of Georgia, and most respectfully request your early and particular attention to it. The position taken by Governor Brown must necessarily be attended with the most serious embarrassments in the organization and discipline of the troops under my command, and it is therefore important that I should at once receive your instructions as to the course I am to pursue. There are, unfortunately, in the service those who entertain the same opinion with Governor Brown, and co-operating with him can subject me to great embarrassment. Until otherwise ordered I shall forward to Richmond all vacancies that may occur. In the meantime I have addressed to Governor Brown a letter, a copy of which I inclose.

Earnestly asking your immediate attention to the subject, I am, with sentiments of sincere regard,

Very respectfully, yours, &c.,

HOWELL COBB,
Major-General, Commanding, &c.

[Indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
October 23, 1863.

Respectfully submitted to Secretary of War.

The Governor of Georgia insists upon the right of the Home Guards to elect officers to fill vacancies, and declares his intention to issue

commissions when election returns are sent him. Pronounces the decision of Secretary of War denying such right as a flagrant violation of the constitutional rights of the troops, and expects to bring the question before the General Assembly. General Cobb asks for instructions in the matter.

C. H. LEE,
Assistant Adjutant-General.

[Inclosure No. 1.]

MARIETTA, *October 15, 1863.*

Maj. Gen. HOWELL COBB:

DEAR SIR: I have to acknowledge officially the copy of the letter from the Secretary of War to you, in which he denies the right of the Home Guards to elect officers to fill vacancies. This, I supposed, would be the result after the positive manner in which the President spoke in our interview the other day. I did not then wish to provoke a discussion which would have been fruitless, and passed it by with my simple dissent from the doctrine. I consider the decision so flagrant a violation of the constitutional rights of the troops that I shall issue commissions to fill all such vacancies when election returns are sent to me. I expect to bring the question before the General Assembly and will, of course, be submissive to their decision, whatever may be my own opinion.

Very respectfully, your obedient servant,

JOSEPH E. BROWN.

[Inclosure No. 2.]

HEADQUARTERS GEORGIA STATE GUARD,
Atlanta, October 18, 1863.

His Excellency JOSEPH E. BROWN,
Governor, &c., Marietta, Ga.:

SIR: I acknowledge the receipt of your letter of the 15th instant. After our interview with the President I had hoped the question was settled, and regret to find that you have determined not to acquiesce in the decisions of the President as then made known to you. I need not say to you the course you propose to pursue will bring the Confederate and State authorities into direct conflict, and endangers, if it does not destroy, the efficiency of the State Guard service. I request that you will issue no commissions to fill vacancies unless they are forwarded through these headquarters; otherwise you destroy all military rule and discipline and demoralize the troops under my command. In the meantime I submit the question to the Department of War at Richmond for such instructions as the President may see proper to give.

I am, very respectfully, yours,

HOWELL COBB,
Major-General, Commanding, &c.

GENERAL ORDERS, No. 136. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, October 21, 1863.*

Paragraph III, General Orders, No. 100, Adjutant and Inspector General's Office, last series, is so amended as to authorize payment of the money value of clothing which may be due the soldier at the

end of the year, as therein provided, upon descriptive lists when he is absent from his command by proper authority at the time, and will be prevented from rejoining it within sixty days thereafter.

By order:

S. COOPER,
Adjutant and Inspector General.

CIRCULAR.] CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT, BUREAU OF CONSCRIPTION,
Richmond, Va., October 21, 1863.

As the military status of every employé at the arsenals and depots of the Ordnance Department is reported monthly at the office of the Chief of Ordnance, Col. J. Gorgas, Richmond, Va., commandants of conscripts and enrolling officers are hereby notified that any information relating to conscripts and others so employed may be obtained by application to said office, by which means all controversy between conscript officers and the commandants of ordnance posts will be avoided.

By order of George W. Lay, lieutenant-colonel, assistant adjutant-general, acting chief of Bureau:

P. N. PAGE,
Captain and Assistant Adjutant-General.

GENERAL ORDERS, No. 137. } ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, October 22, 1863.

The authority of commandants of conscripts to make details for enrolling service of officers and soldiers coming within their jurisdiction under the second clause of paragraph II, of General Orders, No. 82, and paragraph V, of General Orders, No. 96, of 1862, is hereby extended, so that they may employ such persons in the duties of railroad guards, bridge or ferry guards, or in the protection of public property, at the request of the officers of the staff departments, or of local military commanders. Special reports will be made of all such details to the Bureau of Conscription.

They may also detail in like manner, until the recovery of health, any convalescents borne on the rolls of general hospitals, who may be reported to them by the hospital boards as unable to take the field, but fit for light duty, the details to cease at the time that may be indicated by the examinations of the hospital boards.

By order:

S. COOPER,
Adjutant and Inspector General.

EXECUTIVE DEPARTMENT,
Tallahassee, October 22, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: It appears from the returns of the recent elections in this State, from letters received from respectable citizens, and from an

examination of the muster-rolls on file in the adjutant-general's office that many persons who are now in the Confederate service have been elected to the inferior offices of justice of the peace, county commissioner, &c., and it is alleged that some are deserters from it. What shall be done in the premises? Under the statutes of the State it may be my duty to issue commissions upon receipt of the returns of elections, but unless it shall be so declared by the opinion of the attorney-general I shall not commission any who are in Confederate service, or any who being subject to conscription have been notified to repair to camps and failed to do so. I have submitted to the attorney-general of the State the question whether or not, with a knowledge of such facts, I am required to issue commissions. At all events, I feel assured that they are not entitled to discharge from Confederate service under the act of Congress approved April 2, 1863; nor are they deemed by me necessary to the administration of the government of the State. I feel it my duty to inform you that in various parts of the State there are deserters from the Confederate service who were citizens of this and other States, whose influence (added to other causes) has produced much disloyalty, amounting to a disposition for what is termed "reconstruction of the United States Government;" in other words, to cowardice, submission, and a propensity for treason.

I am also informed by letters which have been received from persons now in Nassau (who left the State, but desire to return) that transports are now ready, and that it is the purpose of the enemy to invade Florida during this or the next month via the Saint John's River, Fernandina, and Saint Mark's. Many of the troops in Confederate service in this State are yet unarmed, and but few of them have been properly drilled and prepared to meet the enemy. Some time ago I applied through the Hon. R. B. Hilton for 3,000 stand of small-arms, 2,000 for the use of the troops commanded by General Cobb and 1,000 for such State forces as might be organized under the call of the President for 1,500 men for home defense. Two thousand Austrian rifles were sent to General Cobb via Columbus, Ga., but none to the State. In view of the amount of arms, munitions of war, &c., voluntarily furnished by the State of Florida to troops in Confederate service, I had no reason to suppose that a demand for such a small amount would not be respected. The cavalry in Confederate service in this State are inefficiently armed. We have no arms for State troops, and if the State shall be sacrificed for the want of arms and munitions of war, the responsibility for the consequences must rest with the War Department of the Confederate Government. We need immediately 1,000 short Enfield rifles with saber-bayonets and fixed ammunition for the same. I shall be obliged to you to send them by an agent to this place, or inform me by telegraph that I can get them, and I will send an agent.

I have the honor to be, respectfully,

JOHN MILTON,
Governor of Florida.

CIRCULAR.] CONSCRIPT OFFICE,
Richmond, October 22, 1863.

His Excellency the Governor of Virginia has decided that the militia officers of Virginia, as a class, are no longer in commission in consequence of their commands having been absorbed by the conscript law.

The department, regarding this as a decision from competent authority, directs that the conscription law be executed accordingly.

You will report all such persons for duty.

By order Col. J. C. Shields, commandant:

JAS. H. BINFORD,
Lieutenant and Adjutant.

(To District Enrolling Officers.)

RAILROAD BUREAU, C. S. A.,
Richmond, October 23, 1863.

Brig. Gen. A. R. LAWTON,
Quartermaster-General, Richmond:

GENERAL: The arrangements for moving cars and locomotive engines across the bay at Mobile and over the narrow-gauge track from Montgomery to West Point have proved a decided success, saving time, labor, and expense, an economy which will not end with this particular work, as the connection between the two roads at Montgomery already accommodates all Government transportation, thus enabling your department to dispense with the large number of drays and animals formerly occupied in performing it. By these efforts some of the most needy railroads in the Confederacy will be enabled to considerably increase their transportation for Government, and there is no apparent reason why the movement of troops and stores should not be made with probably greater regularity and dispatch this winter than heretofore.

It is well, however, to remark that this improvement will prove only temporary, because the roads have no means in many cases, and all of them but limited facilities, for keeping their machinery in the proper repair. Engines and cars cannot be made for the same reason that they cannot be repaired; consequently all aid in the shape of additional cars and engines is but deferring an evil day. The time will soon come when the Government itself will be incompetent to render even this assistance. It can only do so now because of the contraction of our territory.

It would seem that the railroad companies had been negligent in attending to what is so clearly their own interest as keeping their rolling-stock in repair, but you can readily comprehend how unavoidable was their condition. When the war began railroad managers thought their business ruined. Their incomes had been realized from commerce, and when trade was so suddenly cut off, and before our contest had assumed its present gigantic proportions, a period of inactivity in transportation took place which justly alarmed these managers who occupied positions of trust. In order to contract every expenditure, to meet the crisis which seemed impending, they encouraged the enlistment of their employés—a class having usually but few local associations, and nearly always ready to embark in any scheme that promises change or excitement. Hence their workshops were soon reduced to a minimum force of workmen. The conscript act completed what the prudence of the railroad managers had begun. The twelve-months' volunteers were held to service, and to-day there is not a car, engine, or machine-shop in the country able to do one-half the work offered it for the want of men and material.

As the war developed the wants of Government the business of transportation increased, but the Confederacy, instead of the mer-

chant, claimed the energy and skill of railroad men. Eager to serve our new Government, with a patriotism which I fear has never been properly appreciated, the railroad companies voluntarily and unanimously reduced their rates to figures which barely covered working expenses, and to-day they are carrying for Government everything except troops at prices which are not fairly remunerative. But the idea of making money out of the Government does not seem to be entertained by those connected with the management of railroads, and no corporations in the Confederacy have made such constant efforts to serve the Government as railroad corporations. The managers of them embraced the best business talent and exhibit as much patriotism as any class in the country.

To complete what Government officers first thought to be the best plan for transportation, but which every railroad man knew to be a most destructive one, the former ordered engines and cars from road to road, irrespective of ownership, and making no provisions for their return. Thus this valuable property was used and abused from one end of the Confederacy to the other, cars were run from point to point without attention and only found rest in total destruction, utterly lost to their owners, who are left without redress.

A wiser policy now prevails; officers are in a measure restrained from interference, and the owners are keeping their rolling-stock under their own control; otherwise it is hard to imagine what troubles might surround our transportation. At the beginning of the war most of the roads had fair supplies of rolling-stock and material, and such of the former as could be kept at home was, with the aid of the latter and the few workmen that could be found, maintained in tolerable condition, but the rapid depreciation consequent upon constant work soon exhausted these supplies, and now the richest and most provident companies are feeling severely the want of the most ordinary articles. In many cases business has pressed so hard that machinery could not stop for repairs, and in others the machinists and material could not be had to make them, even when engines were laid up. It is estimated, and in my opinion rather under than over the mark, that fifty locomotives now in the Confederacy are useless for the want of tires, and they can be made either at Atlanta or Richmond in less than six months; but the Government absorbs the work of these shops and the material also; consequently the railroads are impotent.

Is it any wonder that transportation is deficient? Is it not rather a wonder that we have any transportation by rail at all?

To remedy in part the deficiencies described, the task of moving cars and engines from west of the Alabama River was undertaken. With all the assistance that could be obtained it was a tedious operation. Sickness at Mobile and Montgomery retarded the work, and that which I reasonably hoped would be completed by August 1 was not finished until about the 20th of September. This work will help the most needy roads, but, as I before remarked, the aid is only temporary; there is no permanent relief without machinists from the Army, iron from the mines, and permission for foundries and rolling-mills to work for railroads. Fresh cars and engines, without repairs, will follow those already laid aside, until every resource is exhausted, when the Government will be compelled to do that which it has refused heretofore.

When machinery is properly cared for the depreciation is scarcely perceptible, and had the railroads been able to get what the Confederacy produces they would be in nearly as good condition now as they

were two years ago. Every important article of consumption by railroads can be produced in the Confederate States, but so long as the Government controls and denies the roads, you may say, practically everything, there will be no permanent relief for them.

The time has arrived when it must be decided whether this system is to continue; if it is, the Government must be prepared for very limited and uncertain means of transportation. It is utterly impossible to continue in the present destructive course. Complaints of the deficiency in transportation are daily made, and your department is censured for want of energy, and too frequently worse motives are ascribed. Something is due to a department upon which the whole burden of transportation rests, and if it is not yielded, then other officers must shoulder the responsibility. What the roads ask, and what they must have, is iron ore, permission for foundries and rolling-mills to work for them, and a liberal system of detailing machinists from the Army. Nothing else will do.

The Government surely must have learned by this time that railroad officers are not usually nor peculiarly deficient in management, energy, or disposition. If the appointment of Col. W. M. Wadley failed to produce anticipated results, it was because the origin of trouble would not be seen, though often pointed out. No energy, skill, or talent can make transportation what it ought to be without the aid suggested. It is to be hoped that these facts will be appreciated before it is too late.

I remain, general, very respectfully, your obedient servant,

F. W. SIMS,
Major and Quartermaster.

[Indorsements.]

OFFICE OF QUARTERMASTER-GENERAL,
October 24, 1863.

The within report of Major Sims, in response to a call made on him, is respectfully referred to the Secretary of War.

I cannot too earnestly call attention to the present and prospective condition of the railroads of the country, our sole dependence for bringing armies and their supplies together. The peculiar condition of our country at present, the unprecedented relation between the positions of our armies and the growth of their supplies—the largest army in the Confederacy drawing its rations and forage from points 700 miles distant—give to railways an importance to which they were never before entitled. When the Government controls and absorbs nearly all the labor and materials of the country, to Government only can the railways look for permission to use, at their own expense, the materials, labor, and machinery necessary to keep them in working order. And time is all-important, or the injury will soon be irreparable. As I desire soon to have a conference with the managers of the railways on which we principally depend, I wish some authority to promise the necessary assistance, or the permission to work for themselves, which will insure us against a total loss of our means of transportation. All my efforts to improve their condition will be fruitless of practical results unless I am armed with this power.

A. R. LAWTON,
Quartermaster-General.

For conference with General Lawton, Quartermaster-General.

J. A. S.

Noted; file. Discussed with Quartermaster-General in person.

HEADQUARTERS VOLUNTEER AND CONSCRIPT BUREAU,
DEPT. OF TENNESSEE, ALABAMA, AND MISSISSIPPI,
Marietta, Ga., October 23, 1863.

General S. COOPER,
Adjutant and Inspector General:

Colonel Richardson's command, 1,500 strong; Colonel Bell's, 600 strong; Newsom's command, 600; Wilson's, 300 strong; Kizer's, 400 strong, making an aggregate of 3,300 men, all cavalry and raised in West Tennessee under my orders, constitute the nucleus of a division of cavalry which I want your authority to organize. These organizations will all soon be swelled into full regiments, and every man of them has been brought from within the enemy's lines and raised by the work of this bureau. These officers all now report to me. I am not content with my present position. I have applied to Generals Johnston and Bragg to relieve me. This they declined upon the ground that my services in my present position are so important that I cannot be spared from them. One very serious ground of dissatisfaction with my present position is that, having no command and being an "outsider," I lose all chances for future promotion, and if I ever return to the field, no matter how long, first I will have to return with my present rank and be overshadowed by all the officers from my own State, who constituted a part of the army which I commanded and of which I organized about 45,000 before the transfer to the C. S. service took place. This is the hardship of my present position. Because I have zealously labored for the interest of the service and made myself useful, is it just that I should be thus held and debarred of all chances of promotion and of command, which follows? Another serious source of embarrassment in my present position is that the officers of my staff, taking rank from my own position, are all on the pay of captains and lieutenants, which is wholly inadequate for their support, compelled as I am to have my headquarters in the towns and cities, where the cost of living has become so excessive that their pay will not even subsist them, much less pay all the other incidental expenses of living. These are the great sources of my dissatisfaction with my present position. Though the service is most distasteful and repugnant to my feelings, I am willing to work wherever the Government considers my services most important; but for the reasons stated above I am urgent in my application to be relieved, and ask that you will, by orders, authorize me to organize the cavalry commands mentioned above, and with them proceed to the district west of the Tennessee River and increase it to a division. I make this appeal to your sense of justice.

I am, sir, with great respect, your obedient servant,

GID. J. PILLOW,
Brigadier-General, C. S. Army, Superintendent.

P. S.—I omitted to mention the command of Col. J. J. Reiley, who has a full regiment brought out of West Tennessee under like orders.

G. J. P.

Major Cooper has also raised a regiment under my orders in Middle Tennessee, where it now is, but will come soon.

G. J. P.

MERIDIAN, MISS., *October 23, 1863.*

General J. E. JOHNSTON,
Commanding, &c., Meridian, Miss.:

GENERAL: The President directs me to state to you that the rule in reference to conscripts enrolled in any State is to distribute them equitably among the regiments of that State in proportion to the numbers effective for service. It is a misapprehension to suppose that it has been intended to assign conscripts to any one army or organization without reference to the general demands of the service.

I have the honor to be, very respectfully, your obedient servant,

G. W. C. LEE,
Colonel and Aide-de-Camp.

[OCTOBER 23, 1863.—For Cooper to Johnston, in relation to instructions given General Pillow concerning the assignment of conscripts to Johnston's command, see Series I, Vol. XXXI, Part III, p. 583.]

[OCTOBER 23, 1863.—For Governor of Mississippi to Johnston, in relation to transfer of State troops to the Confederate service, see Series I, Vol. XXXI, Part III, p. 584.]

LONDON, *October 23, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War, Richmond:

SIR: You will find inclosed copies of dispatches Nos. 1, 2, 3, 4 to Colonel Gorgas (with accompanying papers), to whom I have heretofore forwarded all my dispatches referring to the accounts of Major Huse. I, however, note in the letter of instructions to Mr. M. H. Bloodgood that he is instructed to report directly to the War Department. I therefore inclose you copies of previous dispatches; also copies of correspondence with Major Huse and letters to Major Ferguson and Captain Crenshaw, his principal accusers here. Since my last of September 15 to Colonel Gorgas, Mr. Bloodgood and myself have spent much time upon these accounts and yet have not been able to make an examination complete enough to report to you our final conclusions. We are both here in London, and have made arrangements with an accounting and examining house which I think will enable us to arrive at nearly certain conclusions. Major Huse has shown from the first every desire to aid us in every way in his power. It would be equally impossible and improper at this stage of the matter to make any remarks upon the merits of the question. My object is simply to report the fact that we are at work and making as much progress as the enormous and complicated nature of the transactions admit, and will, at as early a day as practicable, send you an official report.

With much respect, your obedient servant,

C. J. McRAE.

[Inclosure No. 1.]

DISPATCH No. 1.] LONDON, *July 25, 1863.*

Col. J. GORGAS,
Chief of Ordnance, Richmond:

On the morning of the 22d instant I received a communication from you, dated the 26th of May, informing me that I had been appointed to examine the accounts and vouchers of Maj. Caleb Huse, the special agent and disbursing officer of the War Department abroad. On the receipt of this communication I addressed a note to Major Huse informing him that I would be ready to commence this examination immediately after the 1st of August, and asked him to have his accounts ready to lay before me at that time. In the afternoon of the same day Major Huse called on me and brought with him another communication from you, from which it appeared that the Secretary of War on the 1st of June (five days after the date of the communication to me) had appointed M. Hildreth Bloodgood to make the examination in connection with me. First reading this paper, I thought I would await the arrival of Mr. Bloodgood before commencing the examination, but on a more careful examination of both the papers I think it probable the second appointment would not have been made if it had been known that I would act; and as it is uncertain when Mr. Bloodgood will be here, I have concluded to proceed with the examination as I proposed. It is due to Major Huse that the investigation should be made as soon as practicable, besides the public interests require it, as his usefulness is impaired by charges that have been made against him. I fear that he has already been embarrassed in making his negotiations by these rumors. Before this reaches you you will no doubt have received a communication on this subject which was made to me by Maj. J. B. Ferguson, jr., and which I forwarded to Mr. Memminger, with the request that he would send it to the War Department through you. In making the examination of the accounts and vouchers of Major Huse I shall ask the assistance of H. O. Brewer, esq., now in Paris, a gentleman of high character and a thorough business man, familiar with all sorts of accounts and devoted to our cause. With his assistance and the aid of one good clerk I hope by the middle of August to complete the examination and to forward you the result.

With much respect, your obedient servant,

C. J. McRAE.

[Inclosure No. 2.]

DISPATCH No. 2.] FOLKESTONE, ENGLAND, *August 28, 1863.*

Col. J. GORGAS,
Chief of Ordnance, Richmond:

SIR: You will find inclosed duplicate of my dispatch of the 25th of July.* Mr. Bloodgood not having arrived, I have in connection with H. O. Brewer, esq., commenced the examination of the accounts of Maj. Caleb Huse. Every facility for the examination has been afforded by Major Huse and Messrs. S. Isaac, Campbell & Co., but owing to the nature of the transactions and the difficulty of obtaining confidential clerks, we have not thus far called in any other assistance, consequently our progress is rather slow. We have just finished the examination of the accounts current and find them based on correct business principles, accurately made out, and sustained by the

* See next, *ante*.

proper vouchers; but we have not yet gone into the question of prices, which will be a tedious and laborious business, and much care will be required to arrive at a proper decision, as the prices of most of the articles were much higher during the period of purchase than they were before or have been since, owing to the great competition in the English markets for all military supplies which then existed. As we shall not be able to complete the examination in time to give you the result by this mail, I write now specially to call your attention to the fact that two settlements have been made of the account of Messrs. Isaac, Campbell & Co., one with the firm in London on the 25th of May by Messrs. Emile Erlanger & Co., approved by Major Huse, the other with you in Richmond by Mr. Battersby, acting for Messrs. S. Isaac, Campbell & Co.; and in order that you may be fully informed as to what has been done on this side of the water, I inclose a copy of the agreement made with Messrs. Emile Erlanger & Co. The account has been settled on this side according to this agreement, and I have arranged the matter with Messrs. Emile Erlanger & Co. by charging the amount paid Messrs. S. Isaac, Campbell & Co. to the account of the Confederate loan of £3,000,000—say, £457,224 15s. 10d.—and have taken up the cotton warrants for 5,000,000 pounds of cotton and the $2,000,000 8 per cent. bonds deposited by Major Huse as collaterals for the advance of £90,000, which are to be returned to Major Huse when he presents me warrants from the Treasury Department for the various sums advanced him on account of the War Department.

I inclose an account of the sums advanced Major Huse as well as of £56,000 advanced Captain Crenshaw by authority of Mr. Mason out of the proceeds of the loan before my arrival, and respectfully request that you will cause the necessary warrants to be sent to me to cancel the advances, so that the accounts of the loan may be properly kept between the Treasury and War Departments. Mr. Mallory has already sent Captain Bulloch the warrants for the amounts advanced on account of the Navy Department. It was not until after I had commenced the examination of Major Huse's accounts that I learned that any further settlement had been made with Messrs. S. Isaac, Campbell & Co. in the Confederate States, and I write you by the first opportunity to advise you of what has been done here, so that you may at once annul the settlement made with Mr. Battersby and get back any cotton that may have been delivered to him for Messrs. S. Isaac, Campbell & Co. At the time the settlement was made on this side by Messrs. Erlanger & Co. the Government held more than half of the £3,000,000 loan, and it was thought very desirable to dispose of as much of it as possible. Messrs. S. Isaac, Campbell & Co. were also of the opinion that they would be able after a short time to dispose of half of what they had taken at cost; the other half they intended to hold as a cotton speculation. They, however, have not disposed of any of it, and now propose to return £100,000 of the bonds at the rate at which they received them, in lieu of that amount of cotton which Mr. Battersby was to receive in the settlement with you; but as the bonds are 22 to 24 per cent. discount, both Major Huse and myself have declined this proposition. Messrs. S. Isaac, Campbell & Co. agree that the settlement with Mr. Battersby shall be canceled, and have so written him. Major Huse also informs me that he has heretofore written you on this subject and advised the same course.

With much respect, your obedient servant,

C. J. McRAE.

[Sub-inclosure No. 1.]

Copy of agreement between Messrs. S. Isaac, Campbell & Co. and Messrs. Emile Erlanger & Co.

We, the undersigned, Isaac, Campbell & Co., of London, and Emile Erlanger & Co., of Paris, have made to-day the following agreement on behalf of the claim Isaac, Campbell & Co. state to have against the Confederate Government for the sum of about £515,000. Major Huse, who incurred this debt with Isaac, Campbell & Co., will give them a certificate of indebtedness for the above sum, which they will hand over to Emile Erlanger & Co. Emile Erlanger & Co. engage to hand over to Isaac, Campbell & Co. £150,000 of paid-up bonds for which they have subscribed, and for which they will credit Emile Erlanger & Co. with £135,000, less the discount allowed to subscribers, this quantity being considered paid up.

Isaac, Campbell & Co. will receive, furthermore, from Emile Erlanger & Co. £150,000 in bonds, the former crediting the latter with £135,000, no discount being allowed to these; £90,000, which Emile Erlanger & Co. have advanced for Isaac, Campbell & Co., £90,000, together with interest, will be taken over from their account and credited to Emile Erlanger & Co. Emile Erlanger & Co. will pay in cash £40,000 to Isaac, Campbell & Co., and on the 2d of June the further sum of £20,000; and Isaac, Campbell & Co. will have the right to draw on Emile Erlanger & Co. at ninety days' date for the sum of £40,000, and place this to the credit of the latter, less interest for seventy days.

Emile Erlanger & Co. engage to deliver the above-mentioned £300,000 of bonds as soon as they are ready, and half of these not later than the 15th of June.

Isaac, Campbell & Co. will leave in the hands of Emile Erlanger & Co., to be returned to the Government, the cotton warrants and 8 per cent. bonds now deposited with the latter for the security of their advance of £90,000.

In the event of Isaac, Campbell & Co. wishing to resell these bonds they shall give the refusal of the bonds to Emile Erlanger & Co. at such price offered by other parties and which Isaac, Campbell & Co. are willing to accept.

Isaac, Campbell & Co. remain responsible to the Government for their account, and hold Emile Erlanger & Co. free from any loss or reclamation in this respect; and they furthermore leave the balance of their account as a guaranty, and will not claim it from the Government for two months. Isaac, Campbell & Co. will allow their account to be audited by General McRae or any person he may appoint in his behalf.

EMILE D'ERLANGER,
For EMILE ERLANGER & CO.
S. ISAAC, CAMPBELL & CO.

LONDON, *May 25, 1863.*

Received the 25th of May, 1863, the within named sum of £40,000.
S. ISAAC, CAMPBELL & CO.

Copy of letter from Major Huse approving the above agreement.

PARIS, *May 26, 1863.*

Messrs. EMILE ERLANGER & CO.:

GENTLEMEN: S. Isaac, Campbell & Co. have an account with the Confederate States Government for army supplies furnished by them

on my order, upon which account there is due a balance of, say, £515,000. This account I agree on the part of the Confederate States Government may be transferred to yourselves upon any terms that may be agreed upon between yourselves and Isaac, Campbell & Co., and I further agree that, provided the account is thus transferred to you, all money that I may receive from any source for the payment of this claim shall be paid to you.

I am, gentlemen, your obedient servant,

CALEB HUSE,
Major of Artillery.

[Sub-inclosure No. 2.]

*Payments on account of the War Department from proceeds of the loan.**

To Major Huse, for S. Isaac, Campbell & Co.:

	£	s.	d.	£	s.	d.
Prior to May 25	90,000	0	0			
Subscribed stock	132,224	15	10			
Bonds full paid up	135,000	0	0			
Cash	100,000	0	0			
				457,224	15	10
To pay Colonel Gorgas' draft				22,500	0	0
H. O. Brewer (money loaned)				10,251	4	7
				489,976	0	5
To Captain Crenshaw, by Mr. Mason				56,000	0	0
				545,976	0	5

[Inclosure No. 3.]

DISPATCH No. 3.] No. 6 AVENUE MATIGNON, PARIS,
September 4, 1863.

Col. J. GORGAS,
Chief of Ordnance, Richmond:

COLONEL: You will find inclosed duplicate of my dispatch of the 28th of August, with the accompanying papers, which I sent by the Nassau mail.† This goes by the way of Bermuda to the care of Maj. N. S. Walker. Permit me to call your attention particularly to that part of the 28th August dispatch which refers to sending the necessary warrants to enable me to adjust the accounts of the War and Treasury Departments. The list inclosed in dispatch of August 28 of the disbursements from the loan on account of the War Department furnishes the necessary information to send the proper warrants. Having been much engaged during the past week with other business, I have made but little progress in examining the accounts of Major Huse, and as Mr. Bloodgood has now arrived in England I shall ask his assistance before proceeding with the work. Mr. Bloodgood has not yet been to London, nor have I heard directly from him, but have learned that he reached Liverpool on the 28th ultimo. If I do not hear from him by Monday, the 6th, when I will be prepared to go on with the examination of the accounts, I will address him a note asking his assistance. Major Huse has received advice from Major Walker that the last of the Austrian rifles (30,000) reached Bermuda on the 26th of July. All his other purchases have been shipped, and he is endeavoring to get up the order for Texas, but his credit has

*But see sub-inclosure No. 1 (corrected statement) to inclosure to letter from Memminger to Seddon, October 26, p. 909.

†See dispatch No. 2 and inclosures, p. 886.

been so much impaired by the action of other agents of the Government that I fear he will have great difficulty in getting up this or any other order; at least, he will have to pay advanced prices just in proportion as his credit has been impaired. The multiplicity of agents and contractors on this side the water prevents any of them from being useful; besides, this system has destroyed the credit of the Government, and in future we must rely entirely on the shipment of cotton. Why does not the Government take the subject of blockade running entirely into its own hands? Not a bale of cotton should be allowed to come out of the country nor a pound of merchandise go in except on Government account.

With much respect, your obedient servant,

C. J. McRAE.

[Inclosure No. 4.]

DISPATCH NO. 4.] 6 AVENUE MATIGNON, PARIS, *September 15, 1863.*

Col. J. GORGAS,
Chief of Ordnance, Richmond:

COLONEL: Fearing that dispatches sent by the way of Nassau and Bermuda may not reach the Confederacy, and deeming it important that you should be advised of what has been done on this side of the water in reference to the settlement of the account of Maj. Caleb Huse with Messrs. S. Isaac, Campbell & Co., I inclose copies of my last two dispatches with the papers which accompanied them, and send the whole by the French West India mail under cover to Maj. Charles J. Helm, Havana, with the request that he will forward by the first opportunity.* I hope that some of these dispatches will reach you in time to enable you to cancel the settlement of the account of S. Isaac, Campbell & Co., made with Mr. Battersby, before any of the cotton delivered him has left the Confederacy or been transferred to third parties. I still think that the settlement of this account made on this side was very favorable to the Government, as it enabled us to dispose of £300,000 of the stock of the loan at the issue price, which if not disposed of in that way would now be on hand, or at least not available. But I fear that it will be very disastrous to Messrs. S. Isaac, Campbell & Co., as they have the whole of this stock, representing £267,224 15s. 10d. of their account on hand; also £50,000 in gold in the Confederacy, amounting in the aggregate to £317,224 15s. 10d., none of which is available unless they were to force a sale of the stock, which could not be done at a better rate than 30 per cent. discount from the price at which they received it. This would entail a loss of about £80,000 or $400,000. Great as this sacrifice would be, Mr. Saul Isaac (the financial partner of the house) informs me that unless they can get early relief from our Government they will be compelled to make it, as it will be impossible for them to meet their engagements with so large an amount locked up in Confederate securities. Our credit is greatly depreciated, and the fact being known that this house has a large portion of their capital involved with us has also affected their credit to such an extent as to prevent them from making such financial arrangements as under other circumstances they would have no difficulty in effecting. The result is that this house, which has been so much maligned by our

*See dispatches Nos. 2 and 3 and inclosures, pp. 886–889.

overzealous friends, is likely to be ruined by having trusted our Government when nobody else would.

Since the date of dispatch No. 3 (4th instant) I have seen Mr. Bloodgood and arranged with him to take up the examination of Major Huse's accounts on the 17th instant. We shall continue to avail ourselves of the very valuable assistance of Mr. Brewer, and hope by the end of two weeks to make a final report on the subject.

With much respect, your obedient servant,

C. J. McRAE.

P. S.—The inclosed statement of the amount advanced the War Department from the loan is £1,000 less than is shown by the statements shown in dispatches Nos. 2 and 3.* The error in the former statement arose from having charged Captain Crenshaw with £56,000 instead of £55,000. The whole amount advanced for the War Department is £544,976 0s. 5d., to cancel which I hope you will have the proper warrants forwarded as heretofore advised.

C. J. McR.

[Inclosure No. 5.]

No. 14, BURLINGTON HOTEL, LONDON,
July 22, 1863.

Maj. CALEB HUSE,
Special Agent of the War Department Abroad,
71 Jermyn Street, London:

I am in receipt of a communication from Col. J. Gorgas, Chief of Ordnance, informing me that I have been appointed to examine your accounts as the disbursing officer of the War Department abroad. Please let me know when and where you will have your accounts ready to place before me. At any time after the 1st of August I shall be ready to commence the investigation.

With much respect, yours, &c.,

C. J. McRAE.

[Inclosure No. 6.]

71 JERMYN STREET, LONDON, *July 23, 1863.*

Hon. C. J. McRAE,
Agent for C. S. Loan, Burlington Hotel, London:

A letter received from Colonel Gorgas by me yesterday on the subject of my accounts appears to be more full than the one which you received by the same conveyance, and which is referred to in your note of yesterday. I therefore inclose a copy of it.† Mr. Bloodgood has not arrived, and it being uncertain when he may be expected, and really important, as I conceive, that as early an examination as possible should be made, I beg to suggest that you request some other gentleman from the Confederate States to discharge the duty expected by the War Department of Mr. Bloodgood. It is a matter of indifference to me who makes the examination. I am only desirous that the examination should be made as soon as practicable, and in view of the effect that the charges brought against me by Major Ferguson in his letter to you may have in lessening the confidence of business men in me until these charges are found to be untrue, it seems to me

*For statement (corrected) see sub-inclosure No. 1 to inclosure to letter from Memminger to Seddon, October 26, 1863, p. 909.

†Not found as an inclosure.

highly important for the interest of the Government that the examination should be made as promptly and as thoroughly as possible. As matters now stand, important business negotiations may at any time be interrupted by interested parties circulating the story that I am an officer under charges for malfeasance in office. An attempt of this kind has already been made, as you are aware, by William G. Crenshaw. I beg, therefore, both as a matter of public importance and private interest to myself, that you will take steps for having at least a preliminary examination made at an early day.

Respectfully, your obedient servant,

CALEB HUSE.

[Inclosure No. 7.]

No. 7, BURLINGTON HOTEL, LONDON, *August 5, 1863.*

Maj. CALEB HUSE,
Chief Agent and Disbursing Officer of the War Department in Europe:

MAJOR: I arrived last night from Paris, and shall be ready to-morrow to commence the examination of your accounts and vouchers. Just now I am going to Messrs. J. Henry Schroeder & Co., 145 Leadenhall street, but will be glad to see you, so that we may arrange for a convenient place to make the examination. In the meantime please have prepared for me a general statement or account current of all your transactions as disbursing officer for the War Department since your arrival in Europe. Such a statement will enable me to proceed with more order and expedition in the examination of the detailed accounts and vouchers.

With much respect, your obedient servant,

C. J. McRAE.

[Inclosure No. 8.]

BURLINGTON HOTEL, CORK STREET, LONDON,
October 16, 1863.

Captain CRENSHAW,
22A Austin Friars, London:

SIR: When I last saw you you read me a copy of a letter to Richmond charging Maj. Caleb Huse with improper conduct in the performance of his duty. I have since, at the request of the War Department, undertaken (with the aid of M. H. Bloodgood) the examination of his accounts. We are both here in London for some days, and would be glad to hear from you personally or by letter in full the details of your charges. The former course would be preferable, as having the papers in hand we could confer more understandingly. As it is the wish of the War Department that the examination should be thorough and a speedy report made, we would ask your immediate aid and attention, as our stay here is but limited.

Yours, respectfully,

C. J. McRAE.

[Inclosure No. 9.]

BURLINGTON HOTEL, CORK STREET, LONDON,
October 16, 1863.

J. B. FERGUSON, Jr.,
Major and Quartermaster, C. S. Army:
(Care of A. Collie & Co., Manchester.)

SIR: In June last you addressed me a letter making charges against Maj. C. Huse. I replied, referring you to the War Department, and

inclosed a copy of your letter to Richmond. I have since then, at the Secretary of War's request, undertaken (with the aid of M. H. Bloodgood) the examination of Major Huse's accounts, &c. We are both here in London for some days, and would be glad to hear from you personally, if feasible; if not, by letter with full details of your charges. The former course would be preferable, as having the papers before us we could confer more understandingly. We would ask your immediate attention and aid, as our stay here is but limited, and the Department desires, for many reasons, a thorough examination and speedy report.

Yours, respectfully,

C. J. McRAE.

[Inclosure No. 10.]

BURLINGTON HOTEL, CORK STREET, LONDON,
October 16, 1863.

Maj. CALEB HUSE,
No. 25 Grande Rue Auteuil, near Paris:

DEAR SIR: We deem it best for the interests of all parties to call upon Messrs. Ferguson and Crenshaw, who seem to be your principal accusers at Richmond, to substantiate their charges against you. We have therefore this morning addressed a letter to each of them, requesting them to communicate with us personally or by letter at their earliest convenience.

Yours, respectfully,

C. J. McRAE.

[Inclosure No. 11.]

71 JERMYN STREET, LONDON, *October 20, 1863.*

Hon. C. J. McRAE and M. H. BLOODGOOD,
Burlington Hotel, London:

GENTLEMEN: In reply to your communication of the 16th instant informing me that you have thought proper to call upon Major Ferguson and Mr. Crenshaw to substantiate the charges they have made against me, I have only to state that I have received this intelligence with great satisfaction. Since the examination of my account and transactions for the C. S. War Department was first commenced by Mr. McRae I have endeavored to afford the gentlemen engaged in it every assistance in my power. I shall continue in this course, and as this investigation is one of grave importance to myself personally, as well as to the Confederate States Government, I beg to request that you will make it as thorough and searching as possible, so that your report to the War Department may finally dispose of the matter. If you will call upon me either verbally or in writing for information or explanation upon any transaction in which I have been concerned since the commencement of the war, whether private or official, I shall be glad to reply at length to your inquiries. If you should think proper to examine me under oath, I shall be entirely willing to be sworn before either an English or C. S. official. I have not only been personally annoyed by the conduct of Major Ferguson and Mr. Crenshaw, but my efficiency as an agent of the C. S. War Department has been seriously impaired to such an extent that I think it important that my character for integrity and soundness of judgment should be fully re-established; or failing this, that some other officer should be detailed for the important duty to which I have been assigned.

I am, gentlemen, very respectfully, your obedient servant,

CALEB HUSE,
Major of Artillery.

[Inclosure No. 12.]

71 JERMYN STREET, LONDON, *October 23, 1863.*

Hon. C. J. McRAE and M. H. BLOODGOOD,
Burlington Hotel, London:

GENTLEMEN: The charges against me appear to be limited to my transactions with the house of S. Isaac, Campbell & Co. It has been assumed that no one could be sufficiently well acquainted with the miscellaneous articles embraced in my purchases of and through that house to make the purchases understandingly, and that I have therefore placed myself completely in the power of that house, perhaps innocently, but at all events to the prejudice of the interests of the Confederate States Government. When this investigation first commenced I foresaw great difficulty in the way of making it thorough, which I was very anxious it should be, and expressed my anxiety to Messrs. S. Isaac, Campbell & Co., at the same time that I furnished them with a copy of Major Ferguson's letter to Mr. McRae, denouncing me as a dishonest agent of the Government. They appreciated the difficulties of the case, and expressed themselves desirous of doing anything in their power to enable me to vindicate my character. They have offered to exhibit their books to the auditors appointed by the Confederate States Government to examine my accounts, and to give them the means of tracing every transaction they have had with me from the date of my first order, not only for goods purchased by them on my order, but for everything sold to me from their own establishment. My collection of samples has been made entirely for my own guidance. Not expecting such an examination as this now going on, I find that it will be impossible for me to provide you with samples of every lot of articles purchased, and to state accurately the price and date of purchases, as you desire. With some articles this can be done, with others it cannot. Some articles have been purchased by S. Isaac, Campbell & Co. in small lots as they could get them. In such cases I have only preserved samples of lots, which differed considerably either in price or quality, or both. You will perceive, therefore, that while my collection of samples is quite sufficient for the purpose intended, and is indeed more serviceable than it would be if the samples were more numerous, it is not adapted to the purpose for which you desire to make use of it. I beg therefore to suggest to you as the only really efficient means of arriving at the facts you wish to ascertain, that you avail yourselves of the first offer made by Messrs. S. Isaac, Campbell & Co., and carefully examine their books. In the course of such an examination you would be able to determine the actual profit made by S. Isaac, Campbell & Co. on every article, and you could afterward, if you should think proper, continue your examination by applying to the houses from which Messrs. S. Isaac, Campbell & Co. made their purchases, the names and addresses of which you could learn from the invoice book of Messrs. S. Isaac, Campbell & Co. Of course the samples that I have are quite at your service for you to make such use of them as you may elect, and since I am really under examination for criminal proceedings, and it might be said that I could even now add false samples to my collection, I beg that you will take charge of my sampleroom yourselves, and if you think proper have a lock placed upon the door and keep the key in your own possession.

I am, gentlemen, very respectfully, your obedient servant,

CALEB HUSE.

RICHMOND, *October 23, 1863.*

Maj. J. B. FERGUSON,
Quartermaster:
(Care Fraser, Trenholm & Co., Liverpool, England.)

SIR: I sent to you by Mr. Craig, who returned a few days ago to England, a letter informing you of the arrangement recently made here between the War and Treasury Departments, by which Mr. C. J. McRae was constituted the sole depositary abroad, on whom warrants or drafts would issue in favor of officers of this Bureau, with the power also on his part to transfer, in case of necessity, the funds of one bureau to the credit of another. In view of that I instructed you to keep Mr. McRae fully advised of the necessities of this department, and I wrote also to Mr. McRae asking, in your behalf, his favorable consideration. I alluded to the fact that the loss of one of the Collie steamers, the Hebe, freighted with shoes and blankets, the articles most needed, had embarrassed me very much. I have now to add that that embarrassment has been greatly increased by the unfortunate loss of another vessel of the same line, the Venus, loaded, I fear, wholly on account of this department, and with supplies of a like character. Under these circumstances it has become still more important that you put this whole matter in a proper light before Mr. McRae, in order that, in the exercise of the discretion with which he is invested, he may place at the disposal of this Bureau as much of the foreign fund controlled by him as can be possibly spared from other branches of the service. I write this with the sanction of the Secretary of War, who agrees with me fully as to the necessity for this course of action. It is his desire that every available means shall be used to provide promptly a supply of blankets, shoes, and material for overcoats to meet the wants of our Army for the coming winter, and, as I have often said, not a moment's time is to be lost. Ample arrangements have just been concluded for drawing from Bermuda and Nassau all that may reach either of those points. Should you find it necessary to give a preference to either of the articles of supply referred to, send, for a while, blankets in advance of the others, for we have no facilities at all for manufacturing them here.

A. R. LAWTON,
Quartermaster-General.

[Indorsement.]

OCTOBER 24, 1863.

Approved. It is hoped that Mr. McRae will appreciate the necessity for such supplies as early as practicable. However important or interesting the expected operations of the Navy, our liberties and lives must depend mainly on the efficiency of our armies. If either service must languish for want of funds it certainly should not be the Army.

J. A. SEDDON,
Secretary of War.

RICHMOND, *October 23, 1863.*

Maj. R. P. WALLER,
Quartermaster, Nassau, New Providence:

SIR: You understand the pressing necessities of this Bureau, especially in the items of blankets, overcoats, and shoes. I wrote to you

a few days ago informing you of the arrangements made for supplying you with a limited amount of cotton with which to purchase such supplies as you could obtain on fair terms at Nassau. I alluded to the loss of the Hebe as increasing our difficulties, and I am just informed of the loss of another steamer of the Collie Line, the Venus, loaded, doubtless, with quartermasters' stores. She went last to Nassau and brings, I fear, a great deal that was purchased by you. It is now indispensable that we obtain both from Bermuda and Nassau all that those markets will afford. We are compelled to look to these points of early supply for certain articles which the approach of winter compels us to have in advance of receipts expected from Europe. I have, therefore, to instruct you to extend your operations beyond what was contemplated by my recent instructions. To the extent of your ability you will purchase all that the market at Nassau affords of the articles needed, and I have the authority of the Secretary of War for saying that for a time the resources of the Government, in the way of sea transportation, shall be devoted to any extent necessary to carrying out cotton to provide you with funds and to the bringing in in advance of other supplies what you may purchase. I have written to Major Walker, at Bermuda, to a like effect, and shall rely on his exertions to draw from that point what is most needed. Let me hear from you by the earliest opportunity, and be particular to inform me upon what I can rely.

A. R. LAWTON,
Quartermaster-General.

P. S.—Major Walker, at Bermuda, has been instructed by the Secretary of War to use for the benefit of this department any funds in his hands belonging to the War Department or any bureau thereof. If Mr. Heyliger can advance any that you may need it will be acceptable and only in keeping with the spirit of the instructions referred to.

Show this to Mr. Heyliger.

[Indorsement.]

Approved and special attention requested.

J. A. SEDDON,
Secretary of War.

RICHMOND, *October 23, 1863.*

L. HEYLIGER, Esq.,
C. S. Agent, Nassau, New Providence:

SIR: With the sanction of the War Department I address you on the importance of forwarding promptly from Nassau any freight that may have accumulated there for this Bureau, as also any that may be provided on the spot by Major Waller, through purchases made in your market.

The loss of two steamers of the Collie Line, on which we have been almost entirely dependent, has so straitened the resources of this department that the Secretary of War has consented that for the present any facilities at the command of the Government may be devoted to the special purpose of forwarding quartermaster's stores, particularly such articles as blankets, shoes, and material for overcoats, so much needed for a winter's supply. Let me ask that you will give this matter your especial attention and do all you can to insure the receipt, with all possible dispatch, of the supplies referred to.

A. R. LAWTON,
Quartermaster-General.

[Indorsement.]

Approved and special attention requested.

J. A. SEDDON,
Secretary of War.

GENERAL ORDERS, No. 138. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, October 24, 1863.*

The following instructions are published for carrying into effect the ninth section of the act of 26th of March, 1863, to regulate impressments in respect to labor on fortifications and other public works in States in which provisions have not been made on this subject:

1. The commanding general or the officer of engineers in charge of the work shall have power to decide upon the necessity for making impressments of slaves for this purpose, after making suitable efforts to secure the necessary laborers by contract. He must be satisfied of the necessity of the measure before he resorts to it.

2. He may authorize the impressment of male slaves between the ages of seventeen and fifty years, but before the 1st day of December next shall abstain from impressing slaves from plantations exclusively devoted to the production of grain and provisions, without the consent of the owner, except in cases of urgent necessity.

3. No impressments shall be made of the slaves employed in the domestic and family service exclusively, nor upon farms or plantations where there are not more than three slaves of the age specified, and not more than 5 per cent. of the population of slaves shall be impressed in any county at the same time, unless the necessity is very great, and after consultation with this department or the Governor of the State in which the impressment is to be made.

4. The ordinary period for impressment shall be sixty days, but if the owner of any slave shall fail to bring the slaves impressed to the place of rendezvous within five days after the time appointed, the slaves so withheld may be detained for ninety days, and for a longer term of ten days for every day of default, unless a reasonable excuse be given for the delays that have occurred.

5. It shall be the duty of the commanding general in charge of any lines requiring fortification to acquaint himself with the resources of slave labor within his department, and to consider with care the manner in which he may obtain the control of whatever is necessary for the public service, by fair and equitable apportionment among the owners of such property. He will consult with the Governor of the State and other State authorities as to the best mode of proceeding, so that his impressment may cause the least embarrassment to the industrial pursuits of the community.

6. Notices shall be given of the number and character of the slaves required, the time and place of their delivery, the time for which the service is required, and of the arrangements made for the subsistence, management, and custody of the slaves so required; and if the masters of slaves shall agree to furnish subsistence for their slaves and a suitable overseer or agent to superintend them, they shall have the privilege of so doing. But such overseers shall be subject to the control of the officer in charge, and may be dismissed for any misconduct by him.

7. The sum of $20 per month for each slave delivered in pursuance to requisition, and $15 per month for each slave held in consequence

of failure of his master to obey requisition made as hereinbefore provided, shall be paid by the Confederate States, and soldiers' rations, medicines, and medical attendance furnished; and the value of all such slaves as may die during their term of service or thereafter, from injuries received or disease contracted in such service, or may not be returned, shall be paid by the Confederate States. Such value shall be conclusively established by a formal appraisement by a board of experts mutually agreed upon at the time the slaves are received into the Confederate service. Compensation shall also be made for all injuries to slaves arising from the act of the public enemy, or from any injury arising from a want of due diligence on the part of the authorities of the Confederate States. But the Confederate States will not be liable for any slave not returned by reason of fraud or collusion on the part of the owner or his agent, or the overseer selected by him to superintend them, nor if his death should be caused by the act of God, or by disease existing when the slave is received by Confederate authorities.

8. Subsistence and provisions furnished by the owner shall be commuted for at the rates allowed soldiers in service. All slaves sent voluntarily to the Confederate authorities and accepted by them without other special contract shall stand on the same footing as those delivered under requisition; and the owners of all slaves delivered or taken under requisition shall be entitled to regard the Confederate States as contracting with them to comply with the obligations and conditions herein expressed.

9. In case there should be any disagreement on the subject of the value of any slave impressed, or in case the impressing officer shall not be satisfied of the accuracy of any valuation or valuations, the appraisement shall be referred to the appraisers appointed under the fifth section of the act concerning impressments, according to the provisions of the act of Congress approved 27th of April, 1863, and published in Orders No. 53, current series.

By order:

S. COOPER,
Adjutant and Inspector General.

[OCTOBER 24, 1863.—For Flanagin to Holmes, in relation to raising State troops in Arkansas, see Series I, Vol. LIII, p. 903.]

[OCTOBER 24, 1863.—For Johnston to Governor of Mississippi, in relation to transfer of State troops to Confederate service, see Series I, Vol. XXXI, Part III, p. 588.]

Convention of commissioners appointed under the act of Congress of the Confederate States to regulate impressments.

AUGUSTA, GA., *Monday, October 26, 1863.*

In accordance with the request of the Secretary of War, the commissioners appointed in the different States under the act of Congress of the Confederate States "to regulate impressments," met in convention in the council chamber of the City Hall at Augusta, Ga., on Monday, the 26th of October, 1863.

On motion of Col. G. D. Moore, of Mississippi, Col. E. W. Hubard was called to the chair, and Col. A. H. Bradford and Col. C. J. Elford requested to act as secretaries.

The proceedings of the convention were opened with prayer by Rev. Mr. Potter, of the Methodist Episcopal Church.

The president explained the objects for which the convention was assembled.

On motion of Commissioner Perry, of South Carolina,

Resolved, That the commissioners in attendance do enroll their names, with the States for which they are appointed and their post-offices.

Under this resolution the following enrollment was made:

Virginia—E. W. Hubard, Curdsville, Va.; Robert Gibboney, Wytheville, Va.

North Carolina—H. K. Burgwyn, Garysburg, N. C.; R. V. Blackstocks, Stocksville, N. C.

South Carolina—B. F. Perry, Greenville, S. C.

Georgia—J. E. Morgan, La Grange, Ga.; U. B. Wilkinson, Newnan, Ga.

Alabama—Wylie W. Mason, Tuskegee, Ala.; Robert C. Fariss, Montgomery, Ala.

Mississippi—J. W. C. Watson, Brooksville, Miss.; G. D. Moore, Brooksville, Miss.

Tennessee—W. E. Travis, Newnan, Ga.

On motion of Commissioner Watson, of Mississippi, the following resolution was adopted:

Resolved, That the commissioners present do now proceed, as their States may be called, to lay before the convention orally their information and views as to the condition respectively of the States they represent with reference to supplies for the subsistence and clothing of our armies and population for the ensuing year.

Under this resolution statements were made by Commissioners Gibboney and Hubard, of Virginia; Burgwyn and Blackstocks, of North Carolina; Perry, of South Carolina; Morgan and Wilkinson, of Georgia; Mason and Fariss, of Alabama; Moore, of Mississippi, and Travis, of Tennessee.

A communication from S. R. Cockrill, of Nashville, Tenn., was received and laid upon the table.

Resolved, That the hours for the meetings of the convention be from 9 a. m. to 1.30 p. m., and from 3.30 p. m. to 5 p. m.

Adjourned to meet on to-morrow morning at 9 o'clock.

TUESDAY, *October 27, 1863.*

The convention met pursuant to adjournment. The minutes of the preceding meeting were read and approved.

Col. Alfred M. Martin, a commissioner from South Carolina, reported and was enrolled. Post-office, Brighton, S. C.

Resolutions relative to the objects of the convention were submitted by Commissioners Mason, of Alabama; Perry, of South Carolina; Fariss, of Alabama; Moore, of Mississippi, and Burgwyn, of North Carolina.

On motion of Commissioner Burgwyn, of North Carolina, the various resolutions thus submitted were referred to a committee of one from each State, to be appointed by the president. The following commissioners were named as the committee:

Mason, of Alabama; Moore, of Mississippi; Perry, of South Carolina; Gibboney, of Virginia; Burgwyn, of North Carolina; Morgan, of Georgia, and Travis, of Tennessee.

The communication of S. R. Cockrill, of Nashville, Tenn., was read to the convention by Commissioner Travis, of Tennessee, and on motion referred to the committee of one from each State.

On motion of Commissioner Perry,

Resolved, That the committee of one from each State be further instructed to report such other matters of business as they may deem proper.

The following resolution was submitted by Commissioner Fariss, of Alabama:

Resolved, That it is the duty of the convention to give an interpretation of the provisions of the impressment act for the guidance of impressing officers, and particularly as to what class of holders are entitled to local assessment, and when an appeal is made to the commissioners whether it is not their duty to affirm the award of the local appraisers as being "just compensation" if the impressing officer cannot furnish evidence to the contrary.

On motion this resolution was referred to a special committee of three, consisting of Commissioners Watson, of Mississippi; Fariss, of Alabama, and Blackstocks, of North Carolina.

Agreed to suspend the rules as to hours of meeting and adjournment, and that the convention now adjourn to meet at 7 p. m.

7 P. M.

The convention met pursuant to adjournment. The committee of one from each State, through their chairman, Commissioner Mason, of Alabama, reported progress and asked leave of further time to report, which was granted. The committee to whom was referred the resolution submitted by Commissioner Fariss, of Alabama, reported progress and asked leave of further time to report, which was granted. A communication from the agents of the Richmond factory was received and referred to the committee of one from each State.

On motion of Commissioner Perry, of South Carolina,

Resolved, That the prices of the following articles should be uniform in the States, viz: Wheat, flour, iron, whisky, brandy, cotton cloths, spun yarn, sugar, coffee, and tea.

On motion of Commissioner Perry the consideration of the price of wheat was then taken up and debated for some time without a result being attained.

A resolution submitted by Commissioner Blackstocks, of North Carolina, was referred to a committee of one from each State. The convention then adjourned to meet at 9 o'clock to-morrow morning.

WEDNESDAY MORNING—9 o'clock.

The convention met pursuant to adjournment. The roll was called and the minutes of the meetings of yesterday were read and recorded.

On motion of Commissioner Watson, of Mississippi,

Resolved, That the secretaries be instructed to procure the services of a minister of the gospel each morning to open the meetings of the convention with prayer.

The committee of one from each State, through their chairman, Commissioner Mason, made the following reports, viz.:

REPORT.

The committee of one from each State, to whom was referred the resolutions offered by Commissioners Mason, of Alabama, and Perry, of South Carolina, have had the same under consideration and beg leave to report favorably thereon and recommend their adoption by the convention.

WYLIE W. MASON,
Chairman.

Resolutions introduced by Commissioner Mason, of Alabama:

Resolved, That in the opinion of this convention the act known as the act "to regulate impressments" is eminently wise in all its provisions, and fully vindicates the purpose of the Government to maintain the supremacy of the civil over the military authority, and that it is the paramount duty of every true and loyal citizen to yield a cheerful obedience to all its requirements.

Resolved, That a state of war, resulting as it always does in an obstructed and suspended commerce and the disturbance of the usual means of transportation for the diffusion of supplies, precludes the idea of a fair market.

Resolved, That in such suspended and obstructed condition of commercial affairs and transportation, the true basis of values for articles necessary for the subsistence of the Army and the people is founded upon the legitimate cost of the production of such articles and such percentage thereon as may be considered reasonable and proper.

Resolved, That in view of the financial embarrassments of the country it is the duty both of the Confederate and State authorities to enact such municipal regulations, in accordance with their respective organic law, as may promptly and effectually relieve such embarrassment.

Resolutions introduced by Commissioner Perry, of South Carolina:

Resolved, That the practice of the Confederate Government agents in making contracts for and purchases of manufactures and other articles for the use of the Army at higher prices than those adopted by the several boards of commissioners in the different States is highly reprehensible, injurious to the Government, and should be stopped at once by the Secretary of War.

Resolved, That the habit which prevails in many sections of the Confederacy with the quartermasters and commissaries and their agents in impressing articles for private use and consumption in families is contrary to the act of Congress regulating impressments, and should be prohibited by the War Department.

Resolved, That in impressing articles of food and forage for the use of the Army the agents of the Government should exercise a prudent discretion, and impress in those sections of the different States where food and forage are most abundant.

Resolved, That in those parts of the country where the provision crop is short, and will not more than supply the wants of the country, the tithes due the Government should be commuted for in money and left for the supply of soldiers' families and other destitute persons at Government prices.

Resolved, That upon the true construction of the act of Congress regulating the matter the price of no article manufactured for the use of the Government under the said act can be more than 75 per cent. on the cost of production, excluding the cost of the raw material, which should only be reimbursed without a profit thereon.

Resolved, That the said act of Congress allows a profit greater than is reasonable and far beyond that with which manufacturers have heretofore been satisfied.

The report and resolutions were adopted unanimously.

REPORT.

The committee of one from each State to whom was referred the preamble and resolutions offered by Commissioner Moore, of Mississippi, have had the same under consideration, and beg leave to report favorably theron and recommend their adoption by the convention.

WYLIE W. MASON,
Chairman.

PREAMBLE AND RESOLUTIONS.

Whereas, the people of the Confederate States are now engaged in a death struggle for life, liberty, property, and all that we hold near and dear; and whereas, it is expedient that the Government of said Confederate States should husband all of its resources for the attainment of its independence; and whereas, the land over is swarming with a class of persons known as speculators, who are seeking to possess themselves of many of the most essential if not all the supplies necessary for the support of the Army to the detriment not only of the Government but of the people thereof, particularly of the indigent poor, whose fathers,

husbands, brothers, and sons are absent in the Army, baring their breasts to the shafts of the enemy and battling for our independence: Therefore, be it

Resolved, That while we would allow the largest liberty of trade to the country that is practicable, it is, in the estimation of this convention, inexpedient that transportation on our railroads or by express companies be denied to articles of prime necessity in the hands of speculators.

The preamble and resolution were unanimously adopted.

REPORT.

The committee of one from each State, to whom was referred the resolution offered by Commissioner Watson, of Mississippi, have had the same under consideration, and beg leave to report favorably thereon and recommend its adoption by the convention.

WYLIE W. MASON,
Chairman.

PREAMBLE AND RESOLUTIONS.

Whereas, it is understood that the Government has at its command a greater supply of salt, spun cotton, cotton cloth, and sugar than its present necessities require, of which articles many of the people of the Confederacy are greatly in want: Therefore

Resolved, As the opinion of this convention, that the material interests of the Government and people of the Confederate States would be greatly promoted by the liberal interchange by the Government with the people of salt, spun cotton, cotton cloth, sugar, &c., for all necessary army supplies.

The preamble and resolution were unanimously adopted.

REPORT.

The committee of one from each State, to whom was referred the preamble and resolutions offered by Commissioner Burgwyn, of North Carolina, have had the same under consideration, and beg leave to report favorably thereon, and recommend their adoption by the convention.

WYLIE W. MASON,
Chairman.

PREAMBLE AND RESOLUTIONS.

Whereas, it is obvious that in the struggle between the speculators on the one part to gratify their avarice, even to jeopardize the safety of our country, and the Government on the other to protect that country, it becomes important to strengthen the arm of the Government by the action both of the Government and the people: Therefore, be it

Resolved, That the several States of this Confederacy be requested to pass such laws and take such measures as will most effectually cause the prices fixed by the commissioners of assessments in their States to be observed by sellers and purchasers. And this convention is of the opinion that the most effective mode of doing this would be for the Legislature to impose a tax on all articles sold over the schedule price for the same, equal to the amount of the difference between the schedule price and that at which the article is sold.

Resolved, That the commissioners of the several States be requested to have these resolutions laid before their respective State Legislatures.

The preamble and resolutions were unanimously adopted.

REPORT.

The committee to whom was referred the resolution offered by Commissioner Moore, of Mississippi, have had the same under consideration and beg leave to report favorably thereon, and recommend its adoption.

WYLIE W. MASON,
Chairman.

RESOLUTION.

Resolved, That the chairman of this committee be instructed to recommend to the convention the propriety of appointing a committee whose duty it shall be to

forward to the Secretary of War the proceedings of the convention; and another committee who shall prepare and publish an address to the people of their respective States explanatory of the provisions of the impressment law, and upon such other topics as may be thought proper and expedient.

The resolution was unanimously adopted.

REPORT.

The report of the committee of one from each State, to whom was referred the resolution offered by Commissioner Fariss, of Alabama, asks leave to be discharged from the further consideration of the case, inasmuch as the objects of the resolution have been embraced in other resolutions.

WYLIE W. MASON,
Chairman.

The report was unanimously adopted.

REPORT.

The committee of one from each State, to whom was referred a communication from Mr. S. R. Cockrill, of Nashville, Tenn., on the subject of supplying the Army with fish, have considered the same and recommend that the same be forwarded to the Secretary of War for his consideration.*

WYLIE W. MASON,
Chairman.

The report was unanimously adopted.

REPORT.

The committee of one from each State, to whom was referred the communication from the agent of the Richmond factory, beg leave to be discharged from the further consideration of the same, as this convention has no power to act in the premises.

WYLIE W. MASON,
Chairman.

The report was unanimously adopted.

The following committee was appointed to forward the proceedings of the convention to the Secretary of War: Commissioners Wilkinson, of Georgia; Martin, of South Carolina; Gibboney, of Virginia.

The following committee was appointed to prepare and publish an address to the people of the Confederate States, explanatory of the provisions of the impressment law, &c.: Commissioners Travis, of Tennessee; Watson, of Mississippi; and Perry, of South Carolina.

On motion of Commissioner Watson, of Mississippi, it was

Resolved, That the commissioners of the States, respectively, be, and are hereby, requested to forward to the commissioners of all the States copies of their schedules as they may from time to time be adopted or revised.

Leave of absence was granted to Commissioner Blackstocks, of North Carolina.

The committee of three to whom was referred the resolution submitted by Commissioner Fariss, of Alabama, made the following report:

REPORT.

The select committee to whom was referred the following resolution, viz:

"*Resolved*, That it is the duty of the convention to give an interpretation of the provisions of the impressment act for the guidance of impressing officers, and particularly as to what class of holders are entitled to local assessment, and when

*See Elford to Seddon, October 31, transmitting Cockrill's communication, p. 915.

an appeal is made to the commissioners whether it is not their duty to affirm the award of the local appraisers as being 'just compensation' if the impressing officer cannot furnish evidence to the contrary." beg leave respectfully to report:

That they have considered the subject-matter referred to them, and are of opinion that the phraseology of the law itself defines with the greatest accuracy the cases in which the owners of property impressed by the Government agents are entitled to have the value thereof determined by local assessment or arbitration. The law provides in explicit terms that in cases where property the owner of impressed by the Government and the impressing officer cannot agree upon the value thereof it shall be the duty of such impressing officer "upon an affidavit in writing of the owner of such property or his agent, that such property was grown, raised, or produced by said owner, or is held or has been purchased by him not for sale or speculation but for his own use and consumption, to cause the same to be ascertained and determined" by the process designated in the foregoing resolution as "local assessment." This enumeration of the cases in which the owners of property impressed are entitled to the benefit of local arbitration it is believed includes every conceivable case but the one in which the owner cannot or will not prove, by his own affidavit or that of his agent, that such property was grown, raised, or produced by him, or is held or has been purchased by him not for sale or speculation but for his own use or consumption. The intention of the law, it is most manifest, was to make those who purchased and sold for trade or speculation one class and all other persons another class. This latter class, however, may in practice be augmented by the refusal of persons intended to be embraced in the first class to make the affidavit in the first section of the law specified. Those who make this affidavit are entitled to have the value of their property, or what will be just compensation therefor, determined by local arbitration. All other persons can only demand for their property compensation according to the schedule of prices agreed upon and published by the commissioners in pursuance of fifth section of the impressment act.

The second question referred to the committee for its consideration is stated in these terms:

"And when an appeal is made to the commissioners, whether it is not their duty to affirm the award of the local arbitrators as being just compensation, if the impressing officer cannot furnish evidence to the contrary."

The act of Congress concerning impressments was passed as well for the protection of the citizen as for that of the Government. The rights of the citizen were so often violated by the arbitrary and unjust proceedings of Government agents charged with the duty of furnishing supplies for our armies, that a public clamor was raised upon this subject, which, reaching the ears of Congress, led to the introduction and enactment of the original impressment law. In the original law no provision is made for appeals from the decision or the award of the local arbitration for which the first section of the act provides; but this decision or award was declared to be final, as the schedule prices agreed upon and published by the commissioners was made final in all cases to which they were applicable.

Soon after the passage of the original act, however, in the immediate vicinity of Congress, a case occurred in which by local arbitration $20 per hundredweight was allowed to a farmer for hay, when the owner of the article had offered it to the agent of the Government for less than half that price. This occurrence was made public through the Richmond newspapers and became a matter of public notoriety, and immediately led to the passage of the act by Congress entitled "An act to amend an act entitled 'An act to regulate impressments by officers of the Army.'" This act declares that in all cases of appraisement provided for in said act "the officer impressing the property shall, if he believes the appraisement to be fair and just, indorse upon it his approval; if not, he shall indorse upon it his reasons for refusing, and deliver the same, with a receipt for the property impressed, to the owner, his agent, or attorney, and as soon as practicable forward a copy of the receipt and appraisement and his indorsement thereon to the Board of Appraisers appointed by the President and Governor of the State, who shall revise the same and make final valuation, so as to give just compensation for the property taken, which valuation shall be paid by the proper department."

From this brief history of this appellate jurisdiction of the Board of Commissioners it will be seen that it was conferred alone for the protection of the Government, and this is even yet more strongly manifested by the fact that the right of appeal is denied to the citizen, while it is given as a right to the Government. To this appeal on the part of the Government the only condition precedent is that the officer impressing shall indorse upon the appraisement his reasons for disapproving, and thereupon the case comes before the Board of Appraisers for their revision and final valuation. This appellate jurisdiction was obviously

given to the commissioners as a remedial measure. The law conferring it is, therefore, a remedial law, and upon well-settled principles of construction should be construed in the light of the evil which led to its enactment and so as to suppress the mischief and advance the remedy. Now, to do this it must be held that the powers of the Board of Commissioners in the exercise of appellate jurisdiction are to be held as unrestricted and general as are their powers in cases of which they have original jurisdiction. It is the duty of the commissioners to fix upon the prices to be paid by the Government for every article of property which can become the subject of a local arbitration, and this they are required to do, so as to afford just compensation to the owners thereof, and these prices, it is insisted, should be regarded as fair and right until by competent proof the contrary is shown. To illustrate, the commissioners are required to fix the price to be paid by the Government—say for the article of wheat. The commissioners of Georgia, in the discharge of this duty, agree upon and publish $5 per bushel as the price to be paid for wheat in the city of Augusta. This, then, is the judgment of the commissioners as to the value of wheat in this place, and as to the price that will afford just compensation therefor. At this price the Government agents in Augusta impress and appropriate large quantities of wheat for the use of the Government. They make an impressment, however, and the owner of the wheat so impressed makes the affidavit which will entitle him to the benefit of an appraisement by local arbitration. This appraisement is made and $8 per bushel is allowed. This case is now brought before the commissioners by appeal, and it now becomes their duty to revise the said local arbitration and make final valuation of the wheat in question, so as to give just compensation therefor. In making this final valuation the commissioners, it will be seen, will only be required to decide a question which they have previously solemnly adjudicated, and upon which their judgments are known to be fully made up.

Now, under these circumstances, shall it be said that the judgment of the inferior jurisdiction shall be regarded as prima facie right, though in conflict with the judgment and decision of the appellate jurisdiction? Or should not the very reverse of this be held to be the sound rule upon the subject? What is just compensation to one citizen in Augusta for his wheat will also, as a general rule, be just compensation to his neighbor for the same article; and surely, in the absence of all proof authorizing or requiring a difference to be made, it can scarcely be expected that a board of commissioners will say to one citizen of Augusta that $5 per bushel is the full value and just compensation for his wheat, and at the very same time, because his neighbor's case comes before him by appeal, declare that the latter is entitled to $8 per pushel, and that less will not be just compensation. It is obvious that it was intended that the original impressment act and the law by which it was amended were to be construed as one law, and thereby to introduce as far as practicable in each State uniformity of prices. It must also have been intended that the commissioners in assessing values should in their original and appellate jurisdiction adopt and apply the same principles and standard, and this being done, it will follow that in all cases brought before the board by appeal, schedule prices must be enforced unless the owner of the property impressed by testimony make out an exceptional case, in which event it would be competent and proper for a higher price to be allowed; but in considering appeals it should be borne in mind that the assessment of the local arbitrators is not by the law made testimony and should not, therefore, when above the schedule prices be regarded as prima facie right, but as erroneous, unless by competent proof the contrary is shown.

All of which respectfully submitted.

J. W. C. WATSON,
Chairman.

On motion of Commissioner Mason, of Alabama, the following resolutions were adopted:

Resolved, That the secretaries of this convention be instructed to superintend the publication of the proceedings of the convention, and revise and correct proof sheets; and that they are authorized to have published 500 copies, to be equally distributed to the commissioners of each of the Confederate States; and that the sum of $150 each be allowed the said secretaries for their services.

Resolved, That the thanks of this convention are due to James Mullins, the keeper of the City Hall of Augusta, for his polite attentions during our session, and that $75 be paid him for his services.

Resolved, That the president of the convention be authorized to draw upon the quartermaster of this post for the amounts above appropriated and for the expenses of printing and forwarding the minutes.

On motion of Commissioner Perry, of South Carolina,

Resolved, That the thanks of this convention be returned to his honor the mayor of the city of Augusta for the use of this hall during our session and for the kind attentions which have been shown the members by his officials.

On motion of Commissioner Watson, of Mississippi,

Resolved, That the thanks of this convention be, and are hereby tendered to the Hon. E. W. Hubard, of Virginia, for the able, dignified, and satisfactory manner in which he has presided over its deliberations.

After some able and eloquent remarks by the president upon the business of the convention and the state of the country the convention adjourned *sine die*.

E. W. HUBARD,
President.

A. H. BRADFORD,
C. J. ELFORD,
Secretaries.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, October 26, 1863.

Hon. J. A. SEDDON,
Secretary of War:

DEAR SIR: Some time ago you gave me permission to withdraw the enrolling officer from the First Congressional District in this State, and to enlist all men liable to conscription in the local State troops. It has operated very well except in the counties east of the Chowan River; there they have lost all their negroes. They are cut off by gun-boats from aid or communication with the State, and are exposed to almost weekly raids from the enemy, which, from the nature of the country, it is impossible to resist. They therefore petition me most urgently to relieve them from conscription. I do not feel at liberty to do this, as I agreed they should all join the local companies if the conscript officers were withdrawn, but if it meets your concurrence I will conscript all men without families and whose services are not needed to protect and feed the women and children and excuse the balance.

For your full information I inclose a letter from Colonel Hinton, in command of the State troops in that region, which I beg you to read, and which is reliable. Give me your answer as soon as possible, and oblige,

Very respectfully, your obedient servant,

Z. B. VANCE.

[Inclosure.]

MURFREESBOROUGH, N. C., *October 24, 1863.*

[Governor Z. B. VANCE,
Raleigh, N. C.:]

GOVERNOR: This will be handed to you by my friend George W. Brooks, esq., who visits Raleigh for the purpose of endeavoring to procure a revocation of the order recently issued to me from the Adjutant-General's Office in regard to the conscripts residing east of the Chowan River, in so far as said order relates to Pasquotank County. I take great pleasure in stating that Mr. Brooks is a gentleman of the highest respectability, and any representation made by him will be entitled to the fullest respect and credence. He has stated

to me his views fully in regard to the matter, as he will also do to you. My own judgment tells me that those whom he represents are in error and are laboring against their own best interests. They think otherwise, and are of the opinion that if all force is withdrawn from that county that they will be troubled with no more Yankee raids. As my chief object is to be of benefit to the people of this district, if, after hearing Mr. Brooks, you agree with him, I shall be content. It will certainly relieve me of great anxiety and responsibility. I know that the indiscriminate execution of the conscript act east of the Chowan River would entail an immense amount of suffering upon a great many people. The almost total loss of slave labor from that section imposes upon nearly every man of family the necessity of laboring daily for their support. But while this is true, there are a large number of young men who do not labor at all, and who have no earthly excuse for being out of the service. If the order which you have issued to me could be so modified as to discriminate in favor of those whose families are dependent upon their labor for a support, I shall certainly be more than gratified.

You remember, Governor, I told you when I accepted the position I now hold that I felt a deeper interest in the welfare of this people than any other, and that I was willing to do all in my power for their relief. I have also been careful to assure all with whom I have conversed that it was no part of your purpose to oppress them, but to benefit them. I have told them that by our united efforts we had succeeded in getting them permanently released from Confederate conscription, provided they would volunteer for State defense. I have endeavored to execute the order thus far in but three counties, to wit, Pasquotank, Perquimans, and Chowan. In Chowan I met with no difficulty; but all with few exceptions came into the State organization without hesitancy. Captain Warren reports to me that one new company has been organized, and that there are nearly enough left in Chowan to make another. While I have received no official communication from Captain Myers, I have at the same time received reliable information to the effect that he was succeeding well, and had already gotten nearly enough in camp to make a new company. In Pasquotank Captain Elliott has notified those subject to conscription to meet at some point in the county one day this week. What his success will be I am unable to say, but am inclined to the opinion, from the representations of Mr. Brooks, that but few will respond to the call.

I have thus as briefly as possible stated to you the condition of affairs in the counties in which I have attempted the execution of the order.

I am, Governor, very respectfully, your obedient servant,

J. W. HINTON.

CONFEDERATE STATES OF AMERICA, TREASURY DEPT.,
Richmond, October 26, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have the honor to inclose herewith for your information copy of dispatch No. 7 from General C. J. McRae, agent of the Erlanger loan, Paris, of date 15th of September, ultimo, with statements.

Very respectfully,

C. G. MEMMINGER,
Secretary of the Treasury.

[Inclosure.]

6 AVENUE MATIGNON, PARIS, *September 15, 1863.*

Hon. C. G. MEMMINGER,
Secretary of the Treasury, Richmond:

I have the honor to inclose duplicate of my dispatch * of the 4th instant (No. 6), with the copy of a letter* from Capt. James D. Bulloch, and a corrected statement of the amount advanced the War Department from the proceeds of the loan. The originals of these papers went by the Halifax and Bermuda route on the 5th instant, but fearing that communications by that route may not now be able to reach you, I send this by the French West India mail, under cover to Maj. C. J. Helm, of Havana. The statement of the payments made on account of the War Department, sent in dispatch No. 6, showed an error of £1,000 in the amount charged to Captain Crenshaw. The inclosed statement is correct, and shows that the amount advanced from the loan on account of the War Department to be £544,976 5d. You will also find inclosed an account current with the Navy Department to date, from which you will see that there has been advanced to that Department £440,500, against which I have received from Captain Bulloch Treasury warrants for £364,962 13s. 4d., leaving a balance against the Navy Department of £75,537 6s. 8d. Captain Bulloch informs me that he will be compelled to have about £50,000 more this month and about £150,000 in October. As I am still without any instructions from you, I shall continue to furnish Captain Bulloch with the money necessary to keep his contracts going on in accordance with the plan adopted, with the advice and concurrent action of the commissioners, on the 4th of June. This plan, though not in exact accordance with the forms of the Treasury Department, will save the Government from £14,000 to £15,000 in the way of commissions and exchanges, and I hope you will cause the proper warrants to be drawn on me in favor of Major Huse and Captain Bulloch, so that the amounts advanced to the War and Navy Departments may be properly credited to the loan account. In this way the whole matter may be brought within the forms of the Treasury Department. The accounts inclosed and Captain Bulloch's of the 19th ultimo will give you the necessary information for drawing the warrants. The stock of the loan is at 28 to 30 per cent. discount, and unless we have some great military success there is no probability that Messrs. Erlanger & Co. will be able to dispose of the £704,000 which they took conditionally within the six months agreed on. The balance of the available portion of the loan will not meet Captain Bulloch's engagements, and as I suppose they are considered of paramount importance, it would be unwise to make any drafts against the loan, except to reimburse the advances already made and to meet Captain Bulloch's engagements, of which his letter gives a full account.

With much respect, your obedient servant,

C. J. McRAE,
Agent for the Loan.

* Not found with War Department records.

[Sub-inclosure No. 1.]

Corrected statement of payments made on account of the War Department from proceeds of loan.

	£	s.	d.
To Major Huse for S. Isaac, Campbell & Co.:			
Prior to May 25	90,000	0	0
Subscribed stock	132,224	15	10
Bonds full paid up	135,000	0	0
Cash	100,000	0	0
To pay Colonel Gorgas' account	22,500	0	0
H. O. Brewer (money loaned)	10,251	4	7
	489,976	0	5
To Captain Crenshaw by Mr. Mason	55,000	0	0
	544,976	0	5

MAY 25, 1863.

[Sub-inclosure No. 2.]

C. S. Navy Department in account with loan of £3,000,000.

DR.

		£	s.	d.	£	s.	d.
Mar. 24.	To amount paid out of £150,000 advanced on the order of Mr. Mason and Mr. Spence for						
	Capt. J. H. North	26,000	0	0			
	For M. F. Maury	38,962	13	4			
	For J. D. Bulloch	30,037	6	8			
					95,000	0	0
June 20.	To Captain Bulloch (1,440,000 francs)				57,600	0	0
June 26.	To Capt. J. H. North				30,000	0	0
July 8.	To Capt. J. D. Bulloch				13,750	0	0
July 15.	To Capt. M. F. Maury				3,000	0	0
July 15.	To Capt. M. F. Maury				25,000	0	0
July 25.	To Capt. J. D. Bulloch (800,000 francs)				32,000	0	0
July 30.	To Capt. J. D. Bulloch (720,000 francs)				28,800	0	0
July 30.	To Capt. J. D. Bulloch (720,000 francs)				28,800	0	0
Aug. 25.	To Capt. J. D. Bulloch				52,000	0	0
Sept. 4.	To Capt. J. D. Bulloch (720,000 francs)				28,800	0	0
Sept. 14.	To Capt. J. D. Bulloch (800,000 francs)				32,000	0	0
					440,500	0	0

CR.

	£	s.	d.	£	s.	d.
By Treasury warrants received from Capt. J. D. Bulloch:						
Warrant 308291	300,000	0	0			
Warrant 250317	26,000	0	0			
Warrant 251317	38,962	13	4			
				364,962	13	4
Balance				75,537	6	8

RICHMOND, *October 26, 1863.*

Maj. NORMAN S. WALKER,
Commercial Agent Confederate States,
Saint George's, Bermuda, West Indies:

SIR: I wrote to you a few days ago calling your attention to the importance of forwarding with all possible dispatch any quartermaster's stores at Bermuda, especially such articles as blankets, shoes, and material for overcoats. I also expressed a hope that you would be able to purchase on fair terms supplies of the description referred to in the Bermuda market, and I further assured you that I would refund to you any money you might expend belonging to other bureaus or to

the War Department, and that if you could purchase on the faith of cotton to be received I would use every exertion to forward the quantity needed at the earliest practicable day.

This application was prompted by our great necessities on the approach of winter. These had been increased by the loss of the steamer Hebe, loaded exclusively with quartermaster stores, and they are now made more urgent still by the unfortunate loss of another steamer of the Collie Line, the Venus. She came from Nassau, and was freighted, I fear, wholly with supplies which I attempted to procure from that market through Major Waller. I am therefore constrained to appeal to you again, and this time I do so with the sanction of the Secretary of War, by whom I am authorized to say that you can use for the purpose indicated any funds of the War Department or any bureau thereof in your hands, and that any sea transportation at the command of the Government may for a season be devoted so far as may be necessary to bringing in the supplies of this Bureau that may have accumulated at Bermuda, as also any that you may purchase.

Allow me to ask that you give this matter prompt attention and do all in your power to accomplish the ends indicated, and secure the early receipt at this point of all supplies of the character referred to that can be drawn from Bermuda.

A. R. LAWTON,
Quartermaster-General.

[Indorsement.]

Approved and special attention requested.

J. A. SEDDON,
Secretary of War.

GENERAL ORDERS, No. 140. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., October 27, 1863.*

The assignment of conscripts will be directed by the Bureau of Conscription only, except such as may be properly made by Brigadier-General Pillow within the territory allotted to him in subordination to General J. E. Johnston.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., October 27, 1863.

His Excellency J. G. SHORTER,
Governor of Alabama:

SIR: Your Excellency's letter, inclosing a letter from Col. R. H. Smith relative to abuses in the military administration and the administration of the conscription service at Mobile, has been received. The provost-marshal at Mobile is subordinate to the departmental commander in that city, and it does not appear to this Department why application was not made to him for the correction of the abuses complained of, especially as Colonel Smith testifies to the suavity, fairness, and ability of that commander.

The Department has written to Major-General Maury informing him that it is not aware of any constitution, law, order, or instruction that authorizes the exercise of the power which Colonel Smith complains of by any military officer or by this Department.* In February last the Hon. M. J. Saffold was appointed to examine into the cases of all prisoners held by the military authority who did not belong to the Confederate Army, and the Department has received from him a number of well-digested reports of his examinations, which it has approved. He has been continued for the performance of that duty, as cases may arise. The Department has had no disposition to clothe the provost-marshal with the power of determining upon the necessity or propriety of detaining in prison any persons not connected with the Army. Under urgent appeals from the general commanding the Department of Mississippi, sanctioned by the concurrence of the Executives of the States, I placed the administration of the conscription laws in the States of Tennessee, Mississippi, and Alabama under the superintendence of Brigadier-General Pillow some months ago. He has organized his corps of conscription officers and has performed his work with energy and zeal. The Department anticipated that there would be complaint, for it has had abundant testimony of the disturbance that the demands of the public service under the conscription acts creates in the relations of society and in the pursuits of individuals; but it has endeavored, by careful exposition of the laws and by frequent and explicit instructions, to secure a cautious and considerate administration of them. Brigadier-General Pillow has been furnished with the statements of Colonel Smith, and has been instructed to apply a corrective promptly in the matter complained of.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, October 27, 1863.

Brigadier-General PILLOW,
Superintendent, &c., of Conscripts:

In a letter from His Excellency Governor Shorter a letter of Col. Robert H. Smith, of Mobile, Ala., was submitted to this Department. The following paragraphs occur in that letter:

> The conscript officer pays little or no regard to the law and the general orders requiring conscripts to be sent to their own State, and to be allowed to select their own regiments and companies—most important rights, if the Government wishes to make them good and contented soldiers.
>
> The order from the Secretary of War of 20th of June [July], 1863, declaring that "hereafter persons furnishing substitutes in accordance with existing regulations shall become liable, &c., upon [the] loss of the services of the substitute," is construed, against the plain letter, to cover persons who put in substitutes over forty-five years of age before 20th of July, 1863; and I believe (absurd as it may appear) that the party taken up must prove that his substitute is still in the Army, though there is no proof that he is not.

These charges against the enrolling officers appointed under your directions at Mobile are of the gravest character, involving nothing less than an abrogation of the laws and orders of the Department in some instances and flagrant deviation from their plain import in other instances. The matter requires a strict and impartial inquiry. The Department feels full confidence that this will be made by you,

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* See Series II, Vol. VI, p. 432.

and the proper corrective be promptly applied. In making these inquiries it will be proper to inform Colonel Smith of the facts communicated to you, in order that he may specify the cause of his complaint.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, October 27, 1863.

Col. L. B. NORTHROP,
Commissary-General:

SIR: This Department, under the fourth section of the act relative to impressments, approved by the President of the Confederate States 26th of March, 1863, recognizes the existence of a necessity to take private property for public use by reason of the impracticability of procuring the same by purchase, to accumulate supplies for the Army and for the good of the service within the State of Georgia, and by the authority conferred by the said act authorizes the Commissary-General, the assistant commissaries of subsistence, and the agents of the Commissary Bureau to take property by impressment for the public use in all cases where the same cannot be obtained by contract within the State of Georgia. The Department, in Orders No. 37 and other orders published during the present year, has determined the conditions under which impressments shall be made, and in this authority directs that the regulations prescribed shall be observed and all the restrictions imposed shall be adhered to.

By order of the Secretary of War:

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., October 27, 1863.

Maj. Gen. HOWELL COBB,
Commanding State Guard, Atlanta, Ga.:

GENERAL: I have received your letter of the 18th instant, inclosing a copy of your correspondence with the Governor of Georgia in reference to the appointment of officers for the State troops raised in response to the call of the President. I regret that there is a conflict of views on this question between the Confederate authorities and the Governor, but the course of the Department is clear. The call for the militia was made, in the event that the quota of the State should not be filled up by volunteers under the Confederate law, for local defense and special service. I am not informed what proportions of the troops were raised as militia and volunteers respectively. Volunteers, under the Confederate law, have the right to present themselves organized into regiments, with officers elected by the men; but if not so organized when tendered, the President has the undoubted right to appoint the field officers. Officers of the militia will, of course, be appointed or elected in accordance with the State laws.

Very respectfully,

JAMES A. SEDDON,
Secretary of War.

ATLANTA, GA., *October 29, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

My observations convince me that I have not overestimated, but rather underrated, the importance of organizing the several staff corps as "general staff corps of the Army." The idea of being attached to the person of the general has done and is doing incalculable injury. General Cooper is advised of my views. Please confer with him.

JEFFERSON DAVIS.

GENERAL ORDERS, } ADJT. AND INSP. GENERAL'S OFFICE,
No. 141. } *Richmond, October 29, 1863.*

I. The practice of relieving officers from commands to which they have been appointed and assigned, and ordering them to report in person to this office for further assignment, will cease unless specially required by orders from this office.

II. Soldiers returning home on furlough, or on reaching places at which they will stay during furlough, will immediately report to the nearest enrolling officer, who will keep a register of their names, descriptive list, place where stationed, by whom the furlough was granted, and the time at which it expires.

III. When at the expiration of his furlough, and being at a distance from an hospital examining board, a soldier is unable to travel, the enrolling officer will order him before the board of examiners for conscripts; and the medical officer and one of the physicians "employed" concurring, they will forward to his commanding general, with a statement of his case, a recommendation for an extension of furlough, not to exceed thirty days, duplicates being also sent to the Surgeon-General. But when the soldier is accessible to a general hospital he will be sent before the hospital examining board, who will conform to the preceding instructions.

IV. In cases of sickness or wounds which from any cause are neglected, or do not receive proper treatment, the disability in consequence being prolonged, the soldier will be sent by the enrolling officer to the nearest camp of instruction for treatment in hospital.

V. Recommendations for extension of leave to officers and furloughs to soldiers, and medical certificates to officers and certificates of disability for discharge to soldiers, will only be given by authorized boards of examiners; or, in cases embraced in paragraph III of this order, by the board of examiners for conscripts. Recommendations or certificates from private physicians, or from a medical officer singly, will not be received. Paragraphs 171 and 173, General Regulations, and paragraph I, General Orders, No. 51, current series, from this office, are amended to accord with this paragraph.

VI. Furloughed soldiers will not be permitted to go within the lines of the enemy.

VII. In the medical examination of substitutes the instructions and requirements of paragraph 1192, General Regulations (paragraph 48, Medical Regulations), will be fully adhered to; and if a substitute fails to meet the conditions of that paragraph he will be rejected.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, October 31 [29], 1863.

His Excellency JOHN MILTON,
Governor of Florida, Tallahassee, Fla.:

SIR: Your letter of the 22d instant has been received. The act of Congress of 2d of April last, chapter 12, requires the Department to discharge persons in the Army who may be elected after their enlistment or appointment in the Army members of Congress and State Legislatures, judges of the supreme courts of law and equity in every State, district attorney, clerk of any court of record, sheriff, ordinary, judge of probate, and one tax collector, and a parish recorder. Justices of the peace and county commissioners are not entitled to discharge. The Governor of a State may designate officers to be exempt from conscription under the act of May 1, 1863, but this act does not apply to the Army. The Department is employing every effort to bring into the service those who have absconded their commands, but its success thus far has not been equal to its wishes or expectations. These efforts will not be relaxed, and attention will be given to the cases that you have brought to its notice. Orders will also be given relative to the supply of arms for the service in Florida. The Department cannot close this letter without expressing its obligations to Your Excellency for the cordial support you have habitually given to all the measures for the common defense which have been adopted by this Government.

With much respect, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

GENERAL ORDERS, No. 142. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, October 30, 1863.

I. The requirements of the army making it necessary that the present supply of artillery horses and other field transportation be carefully husbanded, and a more perfect system of supply adopted, Maj. A. H. Cole, inspector-general of field transportation, in addition to his present duties, is hereby charged with this duty.

II. Under his orders all inspections, purchases, impressments, and issues of field transportation (including artillery horses) will be made, and recruiting, fabricating, and repairing done throughout the Confederate States; and all other officers are prohibited from purchasing or disposing of this description of property, except such as may be specially authorized to purchase by the commanding general of an army, whose field of operation in such cases shall be confined to the limits of the army and the country immediately in the advance; and under no circumstances will such officers be allowed to purchase within any district of country to which a regularly appointed purchasing officer has been assigned.

III. The Quartermaster-General is authorized to district the Confederate States for the purposes named, and will assign officers to the duty, who will control the subject within their respective districts, under such rules and regulations as he may establish.

IV. Officers charged with inspection of field transportation are authorized to make inspections anywhere within the limits of their assignment, and to condemn and order to be turned in to the nearest post quartermaster all artillery horses and other transportation found

unserviceable, to be so disposed of as the chief inspector of the district may direct.

V. Chief quartermasters of armies or quartermasters at posts other than those in the field will make their estimates on the chief inspector of the district for such field transportation as they may require. When necessary for the protection of parties collecting animals near the enemy's lines a cavalry escort will be furnished by the nearest commander of troops.

VI. The horses and other property in use in the Commissary Department must not be impressed by officers of any other department.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., October 31, 1863.

His Excellency J. E. BROWN,
Governor of Georgia, Milledgeville, Ga.:

SIR: The difficulties attending the collection of supplies surpass any conception you can have, and it has become a question of the gravest doubt whether the army of General Bragg can be maintained embodied in its present position. In the present state of the currency impressment is the only mode by which supplies can be had, and but for the apprehension of such seizure I have the strongest reason to believe that there would be scarcely any sales, even at the prices given by private individuals and speculators, as the owners of products for subsistence would prefer to hold for constantly enhancing rates or through distrust of the currency to be received in payment. I am satisfied if the Government were to dispense with impressments and rely upon the effort of purchasing at current rates, besides causing at once exorbitant increase destructive to the currency, there would be an utter impossibility of obtaining adequate supplies, as the rising market and the distrust of the currency would certainly prevent voluntary sales.

Under these circumstances will Your Excellency pardon me for pressing on your consideration earnestly the importance, at least under the present emergency, of removing all impediments to the free action of commissary officers and of giving them the countenance of your influence? I am induced to make this application by having had transmitted to me a copy of a letter recently addressed to you by one of the leading commissaries of your State, Major Locke. I earnestly commend his views to your consideration, and would respectfully ask your compliance with his request or some action that may have the effect he desires.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

GREENVILLE, S. C., *October 31, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War, Confederate States of America:

At the recent convention of commissioners under the "Act to regulate impressments," held at Augusta, Ga., the inclosed communication

from Mr. S. R. Cockrill, of Nashville, Tenn., was received, and by vote of the convention ordered to be forwarded to you for consideration.

Very respectfully, your obedient servant,

C. J. ELFORD,
Secretary to Convention.

[Inclosure.]

MARIETTA, GA., *October 24, 1863.*

THE COMMISSIONERS OF THE CONFEDERATE STATES,
Sitting at Augusta:

Called together as you are by the Secretary of War to aid by your actions and counsels the Subsistence Department, I hope good results may follow your deliberations. I have implicit confidence that our independence will be won by the valor of our troops, but not without much effort and privation. If there be a question about which there is danger, it is the supply of meat for the Army. While we held Middle and East Tennessee there was no danger. At present they are in the possession of the enemy, and it is now uncertain what supply of meat, if any, will be drawn from that quarter. This may interfere materially with your prices, and hence the propriety of embracing all our resources in this terrific conflict. We have men, arms, ammunition, bread, and clothes, and a supply of meat must be had, as we are resolved not to be subjugated. The infamous enemy who invades our country threatens to starve us into submission. God said: "Let the waters bring forth abundantly," and it was done. He gave to man dominion over the fish of the sea. In our rivers, lakes, and bays there is an inexhaustible supply of fish, which in our abundance we have never resorted to. It is the part of wisdom now to look to this providential supply placed beyond the reach and control of the enemy. If driven to the necessity the Army can be fed from the waters. In political economy supply and demand determine prices. The plan to diminish the price of meat for the Army is to increase the supply. As agents for the Government this becomes a legitimate question for your body. How is this to be done? The stock regions are mainly in the hands of the enemy, and in the cotton States we have not time to grow them now to meet what may become an important emergency; that is, a scant supply of meat for the Army. The most certain and ready resource, then, is to assume dominion over the fish of the sea. How is this to be done? I make the following suggestions:

First. By orders from the proper military department detail 10,000 men from the several armies, selected for their fitness for this service, such as disabled soldiers, new conscripts, and men over forty-five (if found necessary), who shall be placed under proper officers at the best fisheries to be found in the Confederacy.

Second. They are detailed as a permanent force to furnish an additional supply of meat for the Army from the waters, by all the appliances used for such purposes, to wit, traps, seines, floats and hooks, trot-lines, nets, spears, gigs, hooks, &c.

Third. The Government to furnish a supply of salt and the fish as caught to be scaled, dressed, and salted. This service can be rendered by women, either white or black, or both.

Fourth. A detail of rough carpenters should be made to make boxes and barrels, and quartermasters to superintend the transportation to depots, &c.

Fifth. Officers in attendance should make reports weekly to higher authorities.

The above is a sufficient outline of the plan. The object is to add to the supply of meat for the Army, thereby enabling you to control the price thereof. An experiment may show that it is economy in the Government thus to employ force enough to furnish half the meat required by the Army. It is the legitimate mode of effecting the price of what is to be bought. If this force should average ten pounds each per day it would give 100,000 pounds per day, which would be rations for an army of 200,000 men. We know that men can live on fish. We know that the supply in the rivers is abundant. We know that industry and system will get them out of the waters. It is too uncertain in the hands of individuals, hence the necessity of organizing a regular force to work at this alone by the Government. They are reliable meat growers. It develops one of the hidden resources of the Confederacy at a time when it is needed. The soldiers of the Army may become alarmed about a meat supply, as we are cut off from Tennessee and Kentucky. This should be relieved as soon as possible. Establish the fact that we have a supply of meat in the waters and our independence is won. We can't fail on any other question; we must not fail on this. Bonaparte passed the Alps when the world thought it was impossible. The supply is in the waters beyond doubt, large enough to feed the whole population of the Confederate States, and will we sit down and say we can't get out enough to feed 200,000 men? At many of the fisheries a large quantity of oil could be made—much needed now by the Army. The plan will not interfere with the field force, and its successful execution is recommended by the highest considerations. To insure success, however, I think that if the Secretary of War will give the orders and authority to General Gideon J. Pillow that he will put the whole plan into operation sooner than any man in the Confederate States. He is practical and of untiring energy and industry. He knows how such things can be done. He can direct matters in the Conscript Bureau and attend to this meat supply also. If these views meet the approval of the commissioners I hope they will in their official capacity urge its immediate adoption upon the Secretary of War. I think we have no time to lose.

All of which is respectfully submitted.

S. R. COCKRILL,
Nashville, Tenn.

[Indorsement.]

BUREAU OF SUBSISTENCE,
November 10, 1863.

Respectfully returned to the Secretary of War.

The writer says correctly that our people have not paid attention to fisheries in the lakes and rivers of the interior, of which the products would scarcely support the hands employed. The shad fisheries on the tide waters of the rivers have been attended to, and the supply has of late years been steadily diminishing because the fish caught were on their way up to spawn. The results of this business have not exceeded local consumption. It was conducted by plantation negroes and by Yankees. The writer has not shown from Scripture that the promised dominion over the waters and the fishes therein will confer on the 10,000 Confederate invalids and exempts the skill to fabricate all the appliances necessary to catch the fish or the judgment, perseverance, and hardihood requisite to use them successfully, even if the vast amount of cord needed was obtainable. Nor has it been shown that in the absence of these facilities and endowments

the promised dominion will cause in the fish a due avidity to be caught, even if the season of the year will admit the present application of the plan. It must also be shown that the promised dominion over the waters will be admitted by Mr. Lincoln in favor of the Confederates, and induce him to prohibit hereafter the boat expeditions which have been used with great activity heretofore to break up the fisheries in the waters of Virginia and North Carolina. This whole subject has long ago been carefully considered, and but little fish has been secured during the past two seasons. The impossibility of getting seines or the cord to make them has restricted our efforts and they have failed. Professor Richardson, of Marietta, made long communications on the subject, and the reports of Major White, of Florida, thereon are conclusive. Landsmen often fail in their theories on marine matters from want of familiarity with little details which the experience of seamen alone furnishes. If Gen. G. J. Pillow can realize the results indicated this Bureau will be greatly benefited directly.

L. B. NORTHROP,
Commissary-General of Subsistence.

BURLINGTON HOTEL, LONDON, *October 31, 1863.*

Hon. JAMES A. SEDDON,
Secretary of War, Richmond:

SIR: Your note of the 1st instant directing how the £262,500 of the Erlanger loan reverting to the War Department "should be apportioned between the different bureaus" was received on the 25th instant. I am also in receipt of the communication of the President of the 18th of September, with a copy of the agreement between the heads of the departments of the 15th of the same month; but your letter of the 26th of September, referred to in the note of the 1st instant, has not been received; neither have the contracting officers of the War and Navy Departments received their instructions; at least they have not reported to me. I suppose your letter of the 26th of September contains the authority empowering me in case of necessity to transfer any balance from the account of one bureau to that of another, and full instructions in reference to the manner in which the wishes of the President and the agreement between the heads of the departments of the 15th of September are to be carried out. Without this letter or information of the character which I suppose it contains, your note of the 1st is not intelligible, nor can I satisfactorily discharge the duties which are expected of me. My dispatches to Mr. Memminger have put the Government in full possession of how the Erlanger loan has been disposed of and what amount of it is still available, and I respectfully refer you to them.

With much respect, your obedient servant,

C. J. McRAE.

P. S.—Inclosed you will find duplicate of dispatch* No. 1, relative to investigation of Major Huse's accounts. We have nothing to add on that subject. Mr. Bloodgood is still engaged in prosecuting that work, but I have not had time during the past week to give him much assistance. We have not, therefore, progressed as rapidly as we desired.

C. J. M.

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*See p. 886.

[NOVEMBER 2, 1863.—For Magruder to Murrah, in relation to the service of Texas State troops, &c., see Series I, Vol. XXVI, Part II, p. 383.]

EXECUTIVE OFFICE,
Columbus, Miss., November 3, 1863.

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES:

Since the last meeting of the Legislature, Mississippi has been made the theater of a continued war, and notwithstanding the many sacrifices of her citizens and the efforts of the army sent for her protection, a large portion of her territory has been overrun by the Federal army and much of her property has been destroyed and large quantities carried away. Their superior numbers have enabled the enemy to overrun large districts of country, but they have not as yet been able to occupy permanently but an inconsiderable portion of the territory of Mississippi. Corinth, Vicksburg, and Natchez, with a few square miles surrounding each, is all that they can justly claim as being within their lines. The advance of heavy columns of the enemy upon the city of Jackson early in May last, at a time when we had no adequate force for its protection, rendered it necessary, in my opinion, to remove the archives and public property of the State, as far as I was able, from Jackson to Enterprise, where the seat of government was temporarily established. Since the first occupation of Jackson by the enemy Vicksburg has fallen, and the Federals have been again in possession of the capital of the State, and it has remained in such an exposed position that I deemed it unsafe to return with the archives and other public property. I therefore established the seat of government, temporarily, first at Meridian and more recently, for the convenience of suitable buildings for offices, at Macon.

The ordeal through which the State of Mississippi has been called to pass has been one of sore tribulation, and well calculated to test the loyalty of her citizens. There have been a flood of rumors as to the disloyalty of particular districts and localities of the State, but I have received no reliable information of any considerable disaffection in any quarter. It is perhaps true that some individuals, taking counsel of their fears, have taken the oath of allegiance to and sought the protection of the Government of the United States. But the great heart of the people of Mississippi remains as true to the cause and their determination to succeed in the great struggle in which we are now engaged and is as hopeful and buoyant as when the contest first began.

THE PENITENTIARY—DISPOSAL OF THE CONVICTS.

Believing it to be very certain that the enemy would occupy the city of Jackson, it became necessary to make some disposition of the convicts in the penitentiary, and having been informed that twenty-five of these convicts were unfriendly to our cause, and would in all probability join the Federal Army if permitted to fall into their hands, I determined, therefore, upon consultation with the superintendent and supervisors of the penitentiary to send these convicts to some place of greater security. I applied to the Governor of Alabama for permission to send them to the penitentiary of that State, which he kindly granted, and they are now confined at Wetumpka.

Learning also that there were —— convicts willing to take up arms in defense of their country, I pardoned them and caused them to be mustered into service, and they have since been distributed to the different regiments from the State in the Confederate Army. A considerable number of convicts still remained in the penitentiary who were either unable or unwilling to go into the Army. These were upon the near approach of the Federal army turned out without pardon. I was satisfied that the enemy would destroy the penitentiary buildings, and being unable to get any safe place of confinement for these convicts, I thought it to be the best disposition that could be made of them. Upon the first occupation of the city of Jackson by the Federal army the penitentiary buildings were all destroyed, and there remains now of that institution with all its machinery but little save the rubbish of the walls. One steam engine and a lot of iron and copper is all that can be recovered from the ruins. I have directed Col. U. Bourne, acting chief of ordnance, to collect every article of value from the rubbish and transport them to Meridian. I have directed the copper to be sold to the Government of the Confederate States for the manufacture of percussion-caps. The steam engine will in all probability be destroyed by rust or otherwise before the State will again be in a condition to use it. I therefore recommend that some disposition be made of it by the Legislature. I herewith transmit the report of the supervisors of the penitentiary,* showing that at the time of its destruction it was yielding a handsome revenue, there being a net profit to the State of the last year of $60,490.76. There is another matter in this connection to which I desire to call your attention. Since the penitentiary has been destroyed several persons have been convicted of crimes, the punishment for which is imprisonment in the penitentiary, and they are now confined in the jails of their respective counties awaiting some action of the Legislature, and it is for you to determine whether or not a temporary penitentiary shall be established.

INSTITUTIONS FOR THE DEAF AND DUMB, BLIND AND INSANE.

The State institutions for the deaf and dumb and for the blind have been broken up at Jackson. The lunatic asylum was much damaged during the siege of Jackson in its fencing and outbuildings. The main building suffered but little, and the institution, under the supervision of its able and attentive superintendent, Dr. Robert Kells, assisted by the board of trustees, still gives shelter and sustenance to this truly unfortunate class of our citizens. The money heretofore appropriated by the Legislature has been sufficient with rigid economy in its disbursement to keep up the institution, but the increased cost of every article of consumption or use renders it necessary for the Legislature to take this subject again under consideration. An asylum like this for the protection and proper treatment of the unfortunate lunatics of the State was found to be absolutely necessary in times of prosperity and profound peace, but now when the country is torn and distracted by war and invasion, and our citizens have scarcely time to provide for the protection of the sane members of their families, it is still more important that the Legislature make adequate provision for the maintenance and protection of this unfortunate class. I therefore recommend that the

*Omitted.

Legislature take the affairs of the lunatic asylum again under consideration and make such additional appropriations as may be found necessary for its proper support.

IMPRESSMENT OF HORSES.

The cavalry force of this department, under General Van Dorn, having been ordered to Tennessee to re-enforce General Bragg, the open country of the State of Mississippi was left exposed to the cavalry raids of the enemy without any adequate force for its protection. Under these circumstances, when the State had been traversed from one end to the other by an insignificant force of mounted men under Grierson, and when the whole State appeared to be in imminent danger of being overrun and destroyed, I published a call for volunteers in this arm of the service to serve for from three to twelve months, and meeting with great difficulty in raising the force required on account of the scarcity of horses, I ordered a sufficient number of horses, bridles, and saddles to be impressed to mount and equip such men as were willing to volunteer who were unable to mount themselves. In obedience to these orders 619 horses and 213 saddles and 125 bridles were impressed at an aggregate cost of $224,910.50 and placed at once in the service. These horses, bridles, and saddles are still the property of the State, to be disposed of as the Legislature may direct. The principal damage done the property of the State has been accomplished in the main by marauding parties of the enemy numbering from 15 to 500 men. Against such parties as these it is impossible to protect the country by means of infantry alone. Such forces can only be held effectively in check by means of cavalry. I have an understanding with the President of the Confederate States, and also with General Johnston, to turn the cavalry force raised as above mentioned over to the Confederate service, the Confederate Government agreeing to pay for the use and risk of the State horses during their term of service, and also to pay the value when any such horse or horses shall be killed or captured by the enemy. This arrangement is, however, subject to any disposition which the Legislature may deem proper to be made in the premises. I am well satisfied that Mississippi can be protected only by mounted men, and therefore every assistance that can be consistently rendered should be given by the Legislature to this arm of the service.

ORDNANCE DEPARTMENT.

Circumstances have forced the removal of the State armory from Brandon to Meridian, where temporary buildings have been erected for the reception of the machinery, unfinished guns, and guns out of repair and ordnance stores on hand. The fortunes of war have caused the removal of the State armory twice since the commencement of the present contest; first, from Panola to Brandon, and more recently from Brandon to Meridian. These repeated removals have very much retarded the repairing and manufacture of arms. It is, however, hoped that the armory will soon be in working order and that its operations will not again be disturbed. For more definite information I refer you to the report of Col. U. Bourne, acting chief of ordnance, herewith transmitted.* I also send you the report of

*Omitted.

Col. A. M. West, quartermaster-general of the State, to which I refer you for full information as to the transactions of his department.* The business of that officer has been so extended and the assistants allowed the quartermaster-general by law so limited, that a large amount of unsettled accounts have accumulated upon his hands. I therefore recommend that he be allowed such additional clerks or assistant quartermasters as may be found necessary for the proper transaction of the business of the office, or that an auditor be appointed to examine all unsettled accounts coming before the quartermaster-general for settlement.

ADJUTANT-GENERAL.

The report of the adjutant-general, herewith transmitted, will show to the Legislature the number of regiments, battalions, and unattached companies that have been organized and turned over to the Confederate Government in this State, so far as the same was done by the State authority. Some regiments were organized in the State under authority derived directly from the Secretary of War, and their muster-rolls were never filed in the adjutant-general's office. Of such there is no record, nor is mention made of them in the report. The report will also show the number of drafted men and volunteer cavalry organized under State authority as State troops.

REMOVAL OF NEGROES.

While our enemies are unable to hold permanently any considerable portion of the State, the exposed condition of the northern and western districts to cavalry raids and the facility with which the enemy can enter the counties upon the margin of the navigable rivers in the State renders it necessary that the Legislature devise some means for the protection of the property in those districts. Some means should be devised at least to prevent the negro men from falling into the hands of the Federal authorities and thus becoming a powerful auxiliary means in their hands for our subjugation. Every able-bodied negro man that falls into the hands of the enemy is not only a laborer lost to the country in the production of supplies for the support of our armies in the field, but he is also, under the present policy of the United States Government, a soldier gained to its Army. This has become a subject of too much importance to be lightly passed over. Already marauding bands of these freed negroes are desolating neighborhoods in the Valley of the Mississippi, and citizens of Mississippi have been murdered at their homes by them. It is the policy of the United States Government in the conduct of this war to use these negro troops to perfect the destruction and demoralization of the country which the Federal Army may occupy. Such being the intention of our enemies, the whole strength of the Government should be brought to bear to prevent negro men from falling into their hands. I therefore recommend that the Legislature pass some law for the removal of all able-bodied negro men from the more exposed districts of the State, authorizing the Governor of the State, the President of the Confederate States, or the general commanding the department to make such disposition of them as may be deemed best for the public good, a just and proper compensation

* Omitted.

being made to the owners for the hire during the term they remain in the employ of the Government.

SALT.

Previous to the meeting of the last session of the Legislature I entered into contracts for salt with several foreigners who proposed to import it by running the blockade, which contracts I submitted to a committee of the Legislature. The salt under these contracts was to be paid for in cotton. I directed Colonel West, quartermaster-general for the State, to purchase 500 bales of cotton, all of which was not bought for that purpose, and to have a sufficient quantity on hand to pay for the first cargo. Fifty bales of this cotton was by my order delivered to one of the contractors, A. Minnett, a Frenchman, to be shipped to France, he securing the State of Mississippi against loss by depositing $10,000 in Confederate notes with the State treasurer. A change of generals and of the policy of the Federal authorities prevented the fulfillment of these contracts. Minnett and the other contractors failed to deliver the salt according to their contracts, and the $10,000 deposited as above mentioned still remains with the treasurer. I sent Hon. D. S. Pattison with $20,000 to Iberia, in Louisiana, in charge of a steam-boat, to purchase salt for the State of Mississippi, and failing in that to offer transportation to such citizens of the State as he might find there with salt purchased for their own family consumption, or for the use of their neighbors, without re-sale or speculation. Captain Pattison reached Iberia in time to procure a boat load of salt for the State and its citizens, but on the homeward trip of the boat on Bayou Teche it was stopped by Confederate authority and prevented from a further prosecution of the enterprise on account of threatened danger from Federal gun-boats, until the mouth of the bayou was actually blockaded. Captain Pattison succeeded, however, after much labor, in getting, as he reported, 40,000 pounds of salt delivered at Vicksburg. Whatever amount so received was distributed to destitute families as directed. For further information see Colonel West's report as salt agent.

Captain Pattison has not as yet made a full report and settlement of his proceedings as salt agent. I am therefore unable to give the Legislature any further information as to his transactions. I also sent R. O. Dixon, esq., as a special agent for the State of Mississippi to Virginia to make contracts for salt water, intending to establish furnaces for the manufacture of salt on State account, but he could not succeed in making such contracts as would justify the expenditure of money necessary to carry into successful operation the plan proposed, and it was therefore abandoned. Having failed to establish manufactures of salt on State account as I desired, I authorized Messrs. Strong, Cunningham & Co., of Monroe and Chickasaw Counties, in this State, to manufacture salt at Saltville on private account for the people of North and Northeast Mississippi. Under the act of the extra session of the Legislature, held in December and January last, appropriating $500,000 to purchase salt for the indigent families of soldiers, I appointed Capt. W. C. Turner salt agent, and directed him to go to the salt works in the State of Alabama with instructions to buy salt, make contracts for its manufacture in sufficient quantities to supply the destitute families of our soldiers, if it could be obtained in that way, or failing to get a sufficient quantity, to establish furnaces and manufacture salt on State account. His

instructions were to get salt by either or all of the above means. In pursuance with these instructions he contracted with ——— for the manufacture of —— bushels of salt, to be delivered by installments. For a more extended account of his transactions as salt agent I refer you to his report,* herewith transmitted, stating, however, that the salt has not been delivered in the quantities and at the times agreed upon by the contractors. On or about the 13th of April last I appointed Colonel West salt agent, to receive and distribute to the different counties the pro rata share of whatever salt might be obtained by purchase or manufacture, distributing the salt so received to the boards of police. I subsequently, on the 18th day of October, appointed him salt agent for the State at large, with authority to supervise generally all contracts for the purchase or manufacture of salt on State account, and to receive and superintend its equitable distribution as above mentioned. I refer you to his report* as salt agent, herewith transmitted, for further information upon this subject. Having purchased the cotton for the purposes mentioned in the foregoing part of this communication, and losing all hope of securing with it the salt contracted for, I ordered Colonel West to turn over fifty bales of it to Dr. Luke Blackburn, one of the medical commissioners for the State, to be shipped to Havana, in the Island of Cuba, to be there exchanged for arms and munitions of war. This cotton was delivered to Dr. Blackburn as directed, but as yet he has made no report of his success in the premises.

WIVES, WIDOWS, AND CHILDREN OF SOLDIERS.

The proper support and maintenance of the widows and children of deceased soldiers and the families of those now in the Army is a subject of great importance, and deserves at the hands of the Legislature the most serious consideration. I regard it as your solemn duty to make such provision for their comfort and support as will no longer leave the families of our brave soldiers in any wise dependent upon the uncertain contributions of private charity for that support and protection which they have a right to demand for the sacrifices now being made by their lawful protectors. The diminution of the State tax will greatly diminish the military relief fund now provided by law. This diminution, with the increased price of provisions and the greatly increased number of those dependent upon this fund for support, will, it is thought, make it necessary for the Legislature to make some additional provision upon this subject.

MONEY.

I sent Hon. A. B. Dilworth as agent for the State of Mississippi to the city of Memphis to make contracts with Messrs. Hutton & Freligh, the only persons known to me in the country in condition at that time to print the treasury notes for the "cotton loan" in the manner provided. Contracts for printing the treasury notes for the advance on cotton of the denominations specified in the act approved 19th of December, 1861, upon electrotype plates, as directed by the supplemental act approved January 29, 1862, and also for printing the treasury notes to be issued on State account for military purposes provided by an act approved January 29, 1862, were made with them at a cost of 4

* Omitted.

cents per note. Of the notes to be used as an "advance upon cotton" there were printed 657,156, which at a cost of 4 cents per note amounted to the sum of $26,286.24; and for the notes to be issued for military purposes there were printed 205,295, at a cost of $8,211.80, making the total aggregate cost of printing the notes amount to the sum of $34,498.04. The great demand for change notes of the cotton money made it necessary to have a large proportion of these printed. This caused the disproportion in the cost of printing the $5,000,000 cotton money and the $2,500,000 treasury notes. There have been 8,587 applications made for advances upon cotton, and the whole amount of the $5,000,000 provided by law has been exhausted. The amount refunded on account of the loan up to the 29th day of October is $577,709. The amount of money issued upon my requisitions on account of the military fund provided by the act approved January 29, 1862, is $1,115,554.93. Of this sum $120,602.27 was issued on account of the appropriation for salt, approved January 1, 1863. The amount refunded on account of this military fund is $262,589.67, of which $12,589.67 was on account of sales of salt. The third section of the act authorizing the issuance of these treasury notes for military purposes provides for funding them in sums not less than $500 in State bonds, payable in ten years, with interest from the date thereof at 8 per cent. per annum. None of these notes have been so funded, for the reason that no provision was made for a form or for printing the bonds, nor is the time or the manner of paying the interest thereon prescribed. I have been informed that some of these notes are now on deposit, to be funded, awaiting the preparation of these bonds and some provision for the payment of the interest. I therefore recommend that some provision be made for printing the bonds and for the payment of the interest annually by coupons or otherwise, as the wisdom of the Legislature may direct. The amount expended of the appropriation for arms under the act approved December 15, 1859, is $72,745.12, for which vouchers are on file in my office. I herewith transmit the partial report* of the auditor of public accounts, made to me, showing the condition of the principal military funds provided by law, and respectfully refer you to the full report of the auditor and treasurer for further information.

MILITIA.

The many defects in the practical operation of the militia laws of the State make it my duty to call your attention especially to that subject. The Confederate army in this department has been constantly confronted and opposed by a greatly superior invading force, so that the generals commanding have not only been unable to protect the State from invasion by large bodies of infantry, but the enemy's cavalry have made repeated raids into the State, which have been alike destructive to the property of the country and that cordial good feeling for and confidence in the ultimate success of our struggle among the people so essential to a successful termination of this contest. While the attention of the commanding generals of the department have been invariably drawn, as of right it should be, to the advancing columns of the invading foe, I have exhausted all the means in my power to give them such assistance as I deemed necessary for the protection of the country against raids. I have kept

* Omitted.

constantly in the field all the volunteer State cavalry that could possibly be raised, and while I have not been as successful in raising as large bodies of troops as I desired, I have given essential aid in the protection of a large portion of the State which would otherwise have been left in a wholly defenseless condition, and I am happy to be able to state to the Legislature that these State organizations have rendered much good service in the northern and northwestern districts at a time when there were no Confederate troops to spare for that purpose. Being mostly in unattached battalions and companies, and well acquainted with the roads and principal localities of the country in which they have operated, these State organizations have been able to afford much greater security to the citizens and do much more damage to the enemy than larger bodies of troops less acquainted with the country could have accomplished, after inflicting severe chastisement upon marauding parties whose only object was plunder. While other bodies of the State troops have been kept in the field less actively engaged than the cavalry, they have been placed, at the request of the commanding generals, to guard important depots of public stores, and other important points along the line of the different railroads, and have thus relieved the regular troops of that duty, and to that extent strengthened the Confederate army in the field.

In explanation of the causes that occasioned the organization of the State troops in the first instance, and the continuing them in the field, I herewith transmit copies of the several calls and requisitions made by Generals Ruggles, Price, and Van Dorn, and also the additional correspondence with the President of the Confederate States, Secretary of War, and Generals Johnston and Pemberton upon the same subject.* My efforts to place the number of troops in the field which I deemed necessary to guard the State against destructive raids have been much embarrassed by the opposition of a part of the press of the State opposing the enforcement of the militia law passed at the last session of the Legislature. The great confidence of the people in the ability of the Confederate Government to protect the State from invasion induced large numbers of them to regard the efforts being made to organize and bring into the field the militia of the State as unnecessary, and the law itself as impracticable and oppressive. Had the efforts which have been made to organize the State troops received that support which in view of the great danger threatening us I had a right to expect, there is much reason to believe that the condition of Mississippi would now be much better than it is. A few thousand additional troops at Jackson in May might have held that place until re-enforcements to General Johnston, then arriving, could have overwhelmed the invading army and maintained our position at Vicksburg. The present condition and prospects of the country demand of the Legislature to seriously consider the subject of a thorough and extended reorganization of the military strength of the State. I therefore again recommend the extension of the militia law so as to include and make subject to militia duty every free white male person, either a citizen or temporary resident, not actually conscribed, between the ages of sixteen and sixty years, and as a large portion of these will necessarily be kept at home, only such as are physically able to discharge the duties of soldiers should be sent to the field, and the remainder should be organized, armed, and equipped for local defense against sudden raids and held as a police force for

* None of these documents found herewith.

the counties in which they live. The militia officers should be allowed pay for the time they are actually engaged in the discharge of their official duties. The law as it now stands imposes duties often arduous and expensive upon them, and makes no provision for pay or allowance. I am satisfied if this were done it would add much to the efficiency of these officers. The extension of the conscription laws to forty-five years has so reduced the militia strength of the State that I do not believe it necessary to retain the office of brigadier-general of militia. The major-general, with the assistance of the regimental and company officers, will be entirely sufficient to carry into effect any law necessary to be passed. In any organization that it may be found necessary to make, the Governor should be authorized to appoint all the quartermasters and surgeons. Under the existing law neither the Governor nor the quartermaster-general have had the control over these officers which in my opinion the good of the service requires.

SALARIES OF STATE OFFICERS.

The salaries of the State officers were fixed by law at a time when provisions and property were at a low valuation compared to the present exorbitant prices at which every species of property and provisions is held. The pay which is allowed to these officers if made in the currency of the country is not sufficient to give them that support and maintenance which the credit of the State demands they should receive. I therefore recommend that their salaries be increased. I have sought from the beginning of the war to the present time to make the largest preparation to meet our enemies which the means and power intrusted to me enabled me to make. I have believed it better to spend what we have in manly resistance than permit it to become the prey of plundering invaders, and in this my last message to the representatives of a people threatened by a more destructive invasion than any in modern times; in view of the known purpose of the enemy to lay waste our land and confiscate whatever escapes the ravages of war; in view of the known determination of the Lincoln Government to reduce this people to a condition far worse than European serfdom; in view of that "dark durance" this and succeeding generations are doomed should Federal arms prevail, permit me earnestly to recommend that no consideration of dollars and cents should stand in the way of the amplest preparation of men and means and the most extreme measures for the defense of the country. There is no half-way house of rest in this revolution. Independence or death, or that which is worse than death, are the alternatives presented to this people, and the sooner this truth is fully realized and acted upon the better for us and our children. May God, who favors the just cause and blesses with success fidelity, patriotism, and courage, preside over your deliberations and direct your councils.

JOHN J. PETTUS.

[Inclosure.]

HEADQUARTERS STATE OF MISSISSIPPI,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Columbus, November 1, 1863.

His Excellency JOHN J. PETTUS,
Governor and Commander-in-Chief:

SIR: I have the honor to submit herewith a report of Mississippi regiments and battalions now in the service of the Confederate States.

The report is made as accurately as the records of this department permit and embraces a few regiments heretofore reported by my predecessor, Col. W. H. Brown, in obedience to a resolution of the Legislature of the State passed July 25, 1861. I have included those regiments in order to show accurately the running numbers as they are at present designated and the change of the numbers of some since the rendition of the report above mentioned. The irregularity of the numbers of battalions is occasioned by being first organized as battalions and subsequently as regiments. Many regiments and battalions of Mississippi Volunteers were organized beyond the limits of the State, and others raised under special authority reported directly to the War Department; consequently I have not been able to report the names of the companies, the captains of them, or number of men. The field and company officers are reported as first organized, and all changes that are known to me that have occurred in the commands are annexed to the report of each. I annex hereto summary report of the State troops that have been called from time to time into active service and organized into battalions and regiments. There were at first seventy companies of infantry and thirteen companies of cavalry, from which there were organized five regiments and four battalions of infantry and one battalion of cavalry. The remaining cavalry companies were unattached and operated in the northern and northwestern part of the State. The cavalry battalion is now filled to a regiment, and the unattached companies have entered other cavalry organizations since formed. I have not in this report given a detailed statement of these troops, as they were reported minutely at the last meeting of the Legislature to you by Major-General Tupper. Most of the infantry served out their term of enlistment in that arm of the service, but cavalry being greatly needed in April last many were permitted to change their service upon condition that they were to re-volunteer for twelve months. By this means nearly two regiments were formed of men whose term of enlistment had nearly expired. A full report is annexed of the State troops now in service, showing there are three regiments, three battalions, and ten unattached companies. There are several unattached companies in North Mississippi now being organized into a regiment under Brigadier-General George, but the organization is not yet reported.

I deem it unnecessary to make any comments upon or suggest any changes in the present military law of the State, as you are fully apprised of the difficulties and deficiencies of the law. The law is evidently better adapted to times of peace than to the present emergency, and would meet every necessity of simple organization for drill and inspection. But in organizing troops for active service in the field it is so extremely defective as to render efficient organization impossible. There are numerous and glaring defects which I would point out, but being assured that the attention of the Legislature will be directed to the subject, I refrain from adverting to them in this report.

By the act supplemental to the militia law, approved 29th of January, 1862, there is but one assistant allowed this department, and the salary now fixed by law is insufficient for his support. I would suggest that said assistant be allowed the rank and pay of captain. The duties of the department are frequently very laborious and such as to require additional assistance, in which case I have heretofore employed the help necessary at my own expense. I would therefore suggest that this, as well as the other military departments of

the State, be authorized to employ such additional assistance as is in their judgment required, and only for such length of time as is absolutely necessary.

I have the honor to be, Your Excellency's most obedient servant,

JONES S. HAMILTON,

Adjutant and Inspector General of State of Mississippi.

[Sub-inclosure.]

First Regiment: Colonel, John M. Simonton; lieutenant-colonel, A. S. Hamilton; major, T. H. Johnston. De Soto Guards, Capt. W. J. Boon; Walker Reserves, Capt. G. M. Moseley; Alcorn Rifles, Capt. J. J. Milam; Dave Rogers Rifles, Capt. L. M. Laushe; Pt. Mount Rifles, Capt. C. C. Wilbourn; Rifle Scouts, Capt. ——— ———; Mooresville Darts, Capt. M. Pound; Mississippi Yankee Hunters, Capt. ——— ———; James Creek Volunteers, Capt. J. Furgerson; Reube Davis Rebels, Capt. W. Young. Whole number, including field and staff officers, 682 men. Change in field officers as officially reported from the War Department.

Second Regiment:* Colonel, T. J. Davidson; lieutenant-colonel, J. M. Wells; major, John R. Duvall. Falkner Guards, Capt. R. J. Hill; Molino Rifles, Capt. E. M. Wells; Tippah Tigers, Capt. P. Holcombe; Tippah Riflemen, Capt. M. M. Corley; Blount Guards, Capt. C. G. Blount; Kossuth Hunters, Capt. R. B. Allen; Blackland Gideonites, Capt. ——— ———; Plenitude Invincibles, Capt. ——— ———; Thompson Invincibles, Capt. J. H. Kennedy; Stubbs Rifles, Capt. R. R. Knight. Whole number, including field and staff officers, 737 men.

Second Regiment, No. 1: Colonel, W. C. Falkner; lieutenant-colonel, Bartley B. Boone; major, David W. Humphreys. O'Connor Rifles, Capt. J. H. Buchanan; Magnolia Rifles, Capt. ——— ———; Joe Mathews Rifles, Capt. W. D. Beck; Tishomingo Rifles, Capt. ——— ———; Calhoun Rifles, Capt. John F. Booth; Town Creek Rifles, Capt. W. C. Bromley; Pontotoc Minute Men, Capt. H. R. Miller; Coonewar Rifles, Capt. S. H. Taylor; Cherry Creek Rifles, Capt. John B. Herring; Iuka Rifles, Capt. J. M. Stone; 800 men, rank and file.

Third Regiment: Colonel, J. B. Deason; lieutenant-colonel, Robert Eager; major, T. A. Mellon. Gainesville Volunteers, Captain McFadden; Shieldsborough Rifles, Capt. J. V. Toulme; Chunkey Heroes, Capt. W. B. Johnson; Sunflower Dispersers, Captain Morgan; McWillie Blues, Capt. E. A. Peyton; Biloxi Rifles, Capt. J. P. Elmer; Downing Rifles, Captain Ratliff; Dahlgren Guards, Captain Green; Live Oak Rifles, Captain McRae; John M. Sharp's, Capt. S. M. Dyer. Whole number, including field and staff officers, 806 men. Field officers as at present known to War Department, Col. T. A. Mellon.

Fourth Regiment: Colonel, Joseph Drake; lieutenant-colonel, P. S. Layton; major, T. N. Adaire. Carroll County Rebels, Capt. ——— ———; Center Marksmen, Capt. H. Jamison; Red Invincibles, Capt. W. C. Red; Stephen Guards, Capt. R. D. Palmer; Nelson Grays, Capt. Thomas P. Nelson; Sons of the South, Capt. W. A. Sumner; Bankston Guard, Capt. W. B. Hale; Benela Sharpshooters, Capt. Robert Middleton; Paris Rebels, Capt. G. W. Paris; Attala Yellow Jackets, Capt. J. B. Moore. Whole number, including field and staff officers, 787 men.

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*See Twenty-third Regiment, p. 932.

Fifth Regiment: Colonel, A. E. Fant; lieutenant-colonel, S. F. M. Faucett; major, A. T. Stennis. Bogue Chitto Rangers, Captain Jackson; Red Rovers, Captain Armstrong; Pettus Rebels, Captain Reed; New Prospect Grays, Captain Weir; Lauderdale Spring Grays, Captain Smith; Barry Guards, Captain Womack; Winston Rifles, Captain Comfort; Kemper Rebels, Captain Bostick; Noxubee Blues, Captain Featherston; Scotland Guards, Captain Lewis. Whole number, including field and staff officers, 736 men.

Sixth Regiment: Colonel, J. J. Thornton; lieutenant-colonel, E. R. Bennett; major, R. Lowry. Rankin Rough and Readies, Capt. E. J. Runnels; Rankin Grays, Capt. W. B. Shelby; New Guard, Capt. E. L. Alford; Quitman Southerns, Capt. W. M. Hall; East Mississippi Grays, Capt. A. Y. Harper; Crystal Springs Guard, Capt. A. B. Lowe; Rockport Steel Blades, Capt. A. Steele; Lake Rebels, Capt. W. L. Towner; Simpson Fencibles, Capt. E. R. Bennett; Lowry Rifles, Capt. W. J. Finch. Whole number, including field and staff officers, 601 men.

Seventh Regiment: Colonel, E. J. Goode; lieutenant-colonel, H. Mayson; major, R. S. Carter. Franklin Rifles, Capt. W. J. Proby; Bogue Chitto Rifles, Captain Brister; Amite Rifles, Capt. B. F. Johns; Franklin Beauregards, Capt. D. H. Parker; Jeff. Davis Sharpshooters, Capt. Henry Pope; Marion Men, Capt. W. J. Rankin; Goode Rifles, Captain Cannon; Covington Rifles, Capt. J. T. Fairly; Dahlgren Rifles, Capt. P. B. Williams; Quitman Rifles, Captain Huff; 911 men, rank and file. Col. W. H. Bishop, Lieut. Col. A. G. Mills.

Eighth Regiment: Colonel, G. G. Flynt; lieutenant-colonel, J. T. Gates; major, G. F. Peek. Yankee Terrors, Captain Watkins; Southern Sentinels, Capt. W. C. Day; Ellisville Invincibles, Capt. Sam. Prince; True Confederates, Capt. W. T. Ward; Tolson Guards, Capt. G. W. Ryan; Moody True Blues, Capt. G. C. Chandler; Confederate Guards, Captain Knox; Tullahoma Hardshells, Captain Sansom; Pinckney Guard, Captain Austin; Clarke County Rangers, Captain McNeill. Whole number, including field and staff officers, 888 men. Col. J. C. Wilkinson, Lieut. Col. A. McNeill, Maj. John F. Smith.

Ninth Regiment: Colonel, James R. Chalmers; lieutenant-colonel, James L. Autry; major, [A. R.] Bowdre. Irrepressibles, Capt. ———; Jeff. Davis Rifles, Capt. Sam. Benton; Invincibles, Capt. ———; Lafayette Guard, Capt. William Delay; Home Guard, Capt. T. W. Harris; Quitman Rifle Guard, Capt. R. McGowan; Horn Lake Volunteers, Capt. John H. Foster; De Soto Guards, Capt. S. O. B. Crockett; Panola Guard, Capt. B. Moore; Corinth Rifles, Capt. W. H. Kilpatrick; 933 men, rank and file. Maj. T. H. Lynam.

Tenth Regiment: Colonel, Robert A. Smith; lieutenant-colonel, Joseph R. Davis; major, E. H. Gregory. Ben Bullard Rifles, Capt. J. G. Bullard; Lowndes Southrons, Capt. W. B. Wade; Mississippi Rifles, Capt. James Barr; Hill City Cadets, Capt. J. E. White; Avengers, Capt. George H. Lipscomb; Madison Rifles, Capt. George R. Fearn; Bahala Rifles, Capt. O. T. Gibbs; Yazoo Minute Men, Capt. H. Peake; Rankin Rifles, Capt. G. N. Miller; Port Gibson Rifles, Capt. W. McKeever; 841 men, rank and file. Col. James Barr.

Eleventh Regiment: Colonel, W. H. Moore; lieutenant-colonel, P. F. Liddell; major, ———. University Grays, Capt. W. B. Lowry; Coahoma Invincibles, Capt. S. N. Delany; Chickasaw Rifles, Capt. J. B. Williams; Neshoba Rifles, Capt. A. H. Franklin; Prairie Guards, Capt. J. T. W. Hairston; Noxubee Rifles, Capt. George T. Wier; Lamar Rifles, Capt. ———; Chickasaw Guards, Capt. W. F. Tucker; Van Dorn Reserves, Capt. R. O. Reynolds; Carroll

County Rifles, Capt. R. W. Williamson. Whole number, rank and file, 747 men. Col. S. F. Butler, Maj. W. B. Lowry.

Twelfth Regiment: Colonel, R. Griffith; lieutenant-colonel, W. H. Taylor; major, John R. Dickins. Charley Clark Rifles, Capt. John J. McLean; Natchez Fencibles, Capt. E. M. Blackburn; Raymond Fencibles, Capt. Cuddy Thomas; Pettus Relief, Capt. M. B. Harris; Sardis Blues, Capt. ——— ———; Durant Rifles, Capt. John A. Cason; Vicksburg Sharpshooters, Capt. H. H. Miller; Claiborne Guards, Capt. Henry Hughes; Satartia Rifles, Capt. E. R. Gale; Lawrence Rifles, Capt. R. J. Bowen; 1,013 men, rank and file. Col. W. H. Taylor.

Thirteenth Regiment: Colonel, William Barksdale; lieutenant-colonel, ——— ———; major, ——— ———. Winston Guards, Capt. John M. Bradley; Wayne Rifles, Capt. W. J. Eckford; Pettus Guard, Capt. S. J. Randell; Kemper Legion, Capt. J. W. Carter; Minute Men of Attala, Capt. L. D. Fletcher; Secessionists, Capt. D. R. McIntosh; Almutcha Infantry, Capt. P. H. Bozman; Spartan Band, Capt. W. Mellard; Lauderdale Guards, Capt. Kennon McElroy; 890 men, rank and file. Col. J. W. Carter, Lieut. Col. K. McElroy, Maj. J. M. Bradley.

Fourteenth Regiment: Colonel, W. E. Baldwin; lieutenant-colonel, M. E. Norris; major, W. L. Doss. Enterprise Guards, Capt. R. S. Wier; Quitman Invincibles, Capt. J. P. McGowan; Shubuta Rifles, Capt. R. J. Lawrence; Meridian Invincibles, Capt. W. F. Compton; Beauregard Rifles No. 2, Capt. A. S. Lee; Columbus Riflemen, Capt. ——— ———; Monroe Guards, Capt. F. M. Rogers; Monroe Volunteers, Capt. S. J. Gholson; Agency Rifles, Capt. A. J. Maxwell; 1,034 men, rank and file. Colonel Donovan.

Fifteenth Regiment: Colonel, W. S. Statham; lieutenant-colonel, J. W. Hemphill; major, J. B. Dennis. Oktibbeha Plowboys, Capt. J. M. Watson; Quitman Rifles, Capt. J. W. Wade; Winona Stars, Capt. Thomas Booth; McClung Rifles, Capt. ——— ———; Wigfall Rifles, Capt. W. F. Brantly; Choctaw Guards, Capt. ——— ———; Long Creek Rifles, Capt. L. S. Terry; Grenada Rifles, Capt. ——— ———; Water Valley Rifles, Capt. B. H. Collins; Yalobusha Rifles, Capt. F. M. Aldridge; 1,002 men, rank and file. Col. M. Farrell.

Sixteenth Regiment: Colonel, C. Posey; lieutenant-colonel, Robert Clarke; major, Jeff. Bankston. Wilkinson Rifles, Capt. A. M. Feltus; Adams Light Guard No. 1, Capt. D. Walworth; Adams Light Guard No. 2, Capt. S. E. Baker; Fairview Rifles, Capt. J. T. Moore; Summit Rifles, Capt. J. D. Blincoe; Quitman Guards, Capt. S. A. Matthews; Crystal Spring Rifles, Capt. J. C. Davis; Westville Guards, Capt. G. J. D. Funchess; The Defenders, Capt. W. H. Hardy; Jasper Grays, Capt. J. J. Shannon; 1,002 men, rank and file. Lieut. Col. J. J. Shannon, Maj. Sam. Baker.

Seventeenth Regiment: Colonel, W. S. Featherston; lieutenant-colonel, John McGuirk; major, J. M. Lyles. Panola Vindicators, Capt. George P. Foote; Quitman Grays, Capt. W. D. Holder; Pettus Rifles, Capt. M. Bell; Confederate Guards, Capt. ——— ———; Mississippi Rangers, Capt. ——— ———; Rough and Readies, Capt. H. E. Williamson; Samuel Benton Relief Rifles, Capt. B. G. Laurence; Magnolia Guards, Capt. ——— ———; Buena Vista Rifles, Capt. T. L. Rogers; Burnsville Blues, Capt. J. C. Waters; 1,000 men, rank and file. Col. W. D. Holder.

Eighteenth Regiment: Colonel, E. R. Burt; lieutenant-colonel, T. M. Griffin; major, J. W. Balfour. Confederate Rifles, Capt. J. M. Jayne; Burt Rifles, Capt. ——— ———; Mississippi College Rifles, Capt.

J. W. Welborn; Hamer Rifles, Capt. C. F. Hamer; McClung Rifles, Capt. ——— ———; Beauregard Rifles, Capt. ——— ———; Brown Rebels, Capt. A. G. Brown; Confederates, Capt. O. R. Singleton; Camden Rifles, Capt. Adam McWillie; Benton Rifles, Capt. W. H. Luse; 723 men, rank and file. Col. T. M. Griffin.

Nineteenth Regiment: Lieutenant-colonel, John Mullins; major, N. H. Harris. No muster-rolls returned to this department.

Twentieth Regiment: Colonel D. R. Russell; lieutenant-colonel, H. H. Miller; major, William N. Brown. No muster-rolls returned to this department.

Twenty-first Regiment: Colonel, B. G. Humphreys; lieutenant-colonel, William L. Brandon; major, D. N. Moody. No muster-rolls returned to this department.

Twenty-second Regiment: Colonel, J. D. Lester; lieutenant-colonel, H. J. Reid; major, T. C. Dockery. No muster-rolls returned to this department.

Twenty-third Regiment:* Colonel, T. J. Davidson; lieutenant-colonel, J. M. Wells; major, John R. Duvall. Franklin Guards, Capt. R. J. Hill; Molino Rifles, Capt. E. M. Wells; Tippah Tigers, Capt. P. Holcombe; Tippah Riflemen, Capt. M. M. Corley; Blount Guards, Capt. C. G. Blount; Kossuth Hunters, Capt. R. B. Allen; Blackland Gideonites, Capt. ——— ———; Plenitude Invincibles, Capt. ——— ———; Thompson Invincibles, Captain Kennedy; Stubbs Rifles, Capt. R. R. Knight. Whole number, including field and staff officers, 737 men.

Twenty-fourth Regiment: Colonel, W. F. Dowd; lieutenant-colonel, R. P. McKelvaine; major, W. C. Staples. Buena Vista Hornets, Capt. J. W. Buchanan; Dowd Rebels, Capt. J. D. Smith; Gaines Warriors, Capt. Henry Roberts; Helen Johnston Guards, Capt. E. C. Postell; Cummings Grays, Capt. B. F. Toomer; Choctaw Rebels, Capt. W. C. Staples; Mississippi Confederates, Capt. W. L. Lyles; Kemper Rebels, Capt. R. P. McKelvaine; Caledonia Rifles, Capt. M. M. Rowan; one company not returned; 717 men, rank and file.

Twenty-fifth Regiment: Colonel, J. D. Martin; lieutenant-colonel, E. F. McGehee; major, Thomas H. Mangum. No muster-rolls returned to this department.

Twenty-sixth Regiment: Colonel, A. E. Reynolds; lieutenant-colonel, F. M. Boone; major, T. F. Parker. No muster-rolls returned to this department.

Twenty-seventh Regiment; Colonel, Thomas M. Jones; lieutenant-colonel, James L. Autry; major, George H. Lipscomb. No muster-rolls returned to this department.

Twenty-eighth Regiment—Cavalry: Colonel, P. B. Starke; lieutenant-colonel, [S. W.] Ferguson; major, E. P. Jones. No muster-rolls returned to this department.

Twenty-ninth Regiment: Colonel, E. C. Walthall; lieutenant-colonel, W. F. Brantly; major, J. B. Morgan. Robson Rifles, Capt. R. Robson; Lafayette Rebels, Capt. N. A. Isom; Panola Patriots, Capt. T. F. Wilson; Dixie Rifles, Capt. J. F. Harrington; De Soto Brothers, First Lieut. George W. Reynolds commanding; Fishing Creek Avengers, Capt. S. B. Herron; Oakland Rebels, Capt. W. B. Craig; Hampton Guards, Capt. J. M. Hampton; Gale Reserves, Capt. R. G. Johnson; Walthall Rebels, Capt. J. F. Taylor. Whole number, including field and staff officers, 876 men.

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*See Second Regiment, p. 929.

Thirtieth Regiment: Colonel, G. F. Neill; lieutenant-colonel, J. I. Scales; major, H. A. Reynolds. True Mississippians, Capt. T. H. Robinson; Neill Guards, Capt. J. M. Johnson; Dixie Boys, First Lieut. William Ray commanding; Carroll Minute Men, Capt. F. P. Pleasants; Yazoo Grays, Capt. Q. D. Gibbs; Dixie Heroes, Capt. W. V. Davis; (no name), Capt. John K. Allen; (no name), Capt. Samuel Young; Buckner Rebels, Capt. John N. Campbell; one company not returned. Whole number, including field and staff officers, 763 men.

Thirty-first Regiment: Colonel, J. A. Orr; lieutenant-colonel, M. D. L. Stephens; major, H. E. Topp. No muster-rolls returned to this department.

Thirty-second Regiment: Colonel, M. P. Lowrey; lieutenant-colonel, W. H. H. Tison; major, F. C. Karr. Southern Farmers, Capt. Alexander Archer; Buckner Boys, Capt. Benjamin J. Kizer; Lowrey Rebels, Capt. F. S. Norman; Johnston Avengers, Capt. D. P. Rogers; Tishomingo Avengers, Capt. J. G. Lowrey; Lowrey Invincibles, Capt. W. M. Irions; Hatchie Rifles, Capt. John N. Scally; Beauregard Rifles, Capt. J. H. Tankersly; W. R. Nelson Guards, Capt. W. R. Nelson; Tishomingo Rebels, Capt. J. W. Swinney. Whole number, including field and staff officers, 783 men.

Thirty-third Regiment: Colonel, D. W. Hurst; lieutenant-colonel, W. B. Johnson; major, J. L. Drake. Amite Defenders, First Lieut. Moses Jackson commanding; Cumberland Guards, Capt. A. R. Booth; Leake Rebels, Capt. R. J. Hall; Rebel Avengers, Capt. W. S. Warren; Holmesville Guards, Capt. J. T. Lamkin; Amite Guards, Capt. H. Morgan; Franklin Guards, Capt. R. R. Webb; Davis Guards, Capt. J. M. Timon; Mississippi Defenders, Capt. W. B. Johnson; Johnson Guards, Capt. R. O. Byrne. Whole number, including field and staff officers, 792 men.

Thirty-fourth Regiment: Colonel, Samuel Benton; lieutenant-colonel, Daniel B. Wright; major (not reported). Tippah Farmers, Capt. Granville A. Woods; Bowen Company, Capt. H. J. Bowen; Goodman Guards, Capt. T. A. Falconer; Dixie Guards, Capt. Daniel B. Wright; Cold Water Rebels, Capt. H. T. Walton; Tippah Rangers, Capt. John Y. Murry; Tippah Rebels, Capt. A. C. Rucker; Mississippi Avengers, Capt. M. F. Wilkins; Smith Rifles, Capt. E. W. Smith; Sons of Liberty, Capt. J. B. Huddleston. Whole number, including field officers, 779 men.

Thirty-fifth Regiment: Colonel, W. S. Barry. No muster-rolls returned to this department.

Thirty-sixth Regiment: Colonel, D. J. Brown; lieutenant-colonel, S. G. Harper; major, W. W. Witherspoon. Dixie Guards, Capt. Alexander Yates; Edwards Tigers, Capt. S. K. Smith; Hillsborough Rebels, Capt. T. J. Denson; Copiah Rebels, Capt. L. B. Harris; Harper Reserves, Capt. C. P. Partin; Mount Zion Guards, Capt. T. J. Chrisman; Zollicoffer Avengers, Capt. Henry T. Siebe; Yankee Hunters, Capt. J. S. Tatom; ———, Capt. R. D. Ogletree; ———, Capt. J. W. Ward. Two companies not returned. Number reported, including field officers, 624 men.

Thirty-seventh Regiment: Colonel, Robert McLain; lieutenant-colonel, O. S. Holland; major, John McGee. Shubuta Guards, Capt. T. T. Howze; Enterprise Tigers, Capt. W. C. Turner; Patton's Company, Capt. William S. Patton; Clarke County Rescuers, Capt. S. H. Terral; Yancey Guards, Capt. S. A. Nunn; Jasper Guards, Capt. A. F. Dantzler; Jasper Avengers, Capt. Francis B. Loper; McLain Rifles, Capt. W. W. Wier; De Soto Rifles, Capt. C. C. Terrill; McLemore

Guards, Capt. W. P. Anderson. Number reported, including field officers, 888 men.

Thirty-eighth Regiment: Colonel, F. W. Adams; lieutenant-colonel, Preston Brent; major, Franklin W. Foxworth. Wolf Creek Marksmen, Capt. J. Dishman; Brent Rifles, First Lieut. H. S. Blumfield commanding; Van Dorn Guards, Capt. R. C. McCoy; Wilkinson Guards, Capt. J. H. Jones; Johnston Avengers, Capt. Leander M. Graves; Holmes County Volunteers, Capt. Walter L. Keirn; Hancock Rebels, Capt. D. B. Seal; Columbia Guards, Capt. A. E. S. Foxworth; White Rebels, Capt. John F. White; Price Relief, Capt. W. M. Estelle. Number reported, including field officers, 963 men.

Thirty-ninth Regiment: Colonel, W. B. Shelby; lieutenant-colonel, W. E. Ross; major, W. Monroe Quin. Burt Avengers, Capt. W. E. Ross; Simpson Guards, Capt. R. J. Durr; Dixie Guards, Capt. J. R. Wilson; Rankin Rebels, Capt. S. C. Myers; Johnston Avengers, Capt. M. V. Collum; Barry Guards, Capt. L. H. Tillman; Newton Hornets, Capt. J. C. McElroy; Price Rebels, Capt. William Price; Pearl River Guards, Capt. C. B. Banks; Monroe Quin Guards, First Lieut. J. A. Nash commanding. Number reported, including field officers, 895 men.

Fortieth Regiment: Colonel, W. B. Colbert; lieutenant-colonel, J. A. P. Campbell; major, E. McDonald. Campbell Guards, Capt. J. A. P. Campbell; Confederate Guards, Capt. R. B. Campbell; Standing Pine Guards, Capt. James R. Childress; (no name), Capt. A. M. Greer; (no name), Capt. W. McD. Gibbons; Attala Guards, Capt. George P. Wallace; Oak Bowery Invincibles, Capt. R. K. Clayton; (no name), Capt. M. S. Latimer; (no name), Capt. W. P. Culbertson; Parrott Rifles, Capt. William S. Parrott. Number reported, including field officers, 951 men.

Forty-first Regiment: Colonel, W. F. Tucker; lieutenant-colonel, ——— ———; major, ——— ———. Pontotoc Grays, Capt. S. E. Melson; Koger's Company, Capt. T. J. Koger; Duke's Company, Capt. H. J. Duke; Abe's Rejecters, Capt. Lewis Ball; Verona Rifles, Capt. Thomas C. Ashcraft; Williams' Company, Capt. Joseph P. Williams; Beckett's Company, Capt. N. J. Beckett; Hicks' Company, Capt. James M. Hicks; Mississippi Rip Raps, Capt. G. D. Moore; Okolona Guards, Capt. John Richardson. Number reported, including field officers, 1,136 men.

Forty-second Regiment—Cavalry: Colonel, ——— ———; lieutenant-colonel, James Gordon; major, J. L. Harris. Loula White Rebels, Capt. J. F. White; Choctaw Rangers, Capt. R. C. Love; Newton Rangers, Capt. J. J. Perry; Mooresville Blues, Capt. J. L. McCarty; Mrs. Body Guard, First Lieut. John Gaddis commanding; East Mississippi Dragoons, Capt. James W. Hogan; Kemper Dragoons, Capt. W. G. Beck; Ruffin's Company, Capt. James Ruffin; Pontotoc Rangers, Capt. Joshua T. Pitts; Lauderdale Cavalry, Capt. W. V. Raney. Number reported, including field officers, 753 men.

Forty-third Regiment: Colonel, W. H. Moore. No muster-rolls returned to this department.

Forty-fourth Regiment: Colonel, A. K. Blythe. No muster-rolls returned to this department.

Forty-fifth Regiment: Colonel, A. B. Hardcastle. No muster-rolls returned to this department.

Forty-sixth [Forty-ninth] Regiment: Colonel, J. W. Balfour. No muster-rolls returned to this department.

Wirt Adams' Cavalry: Colonel, Wirt Adams; lieutenant-colonel, Robert C. Wood, jr.; major, James Hagan. No muster-rolls returned to this department.

First Regiment of Artillery: Colonel, W. T. Withers; lieutenant-colonel, James P. Parker; major, B. R. Holmes. Company A, Capt. S. J. Ridley; Company B, Capt. A. J. Herod; Company C, Capt. H. P. Turner; Company D, Capt. J. L. Wofford; Company F, Capt. J. L. Bradford; Company G, Capt. J. J. Cowan; Company H, Capt. George Ralston; Company I, Capt. Robert Bowman; Company K, Capt. George F. Abbay. One muster-roll not returned. Number reported, including field officers, 1,262 men.

Ward's Battalion of Artillery: Major, M. S. Ward. First Company, First Lieut. J. D. Vance commanding; Second Company, Capt. J. H. Yates; Third Company, Capt. J. M. McLendon. Whole number reported, 233 men.

Fourth Mississippi Battalion—Cavalry: Lieutenant-colonel, Charles Baskerville. No muster-rolls returned to this department.

Fifth Mississippi Battalion—Infantry: Major, W. H. Kilpatrick. No muster-rolls returned to this department.

Eighth Mississippi Battalion—Infantry: Lieutenant-colonel, J. S. Terral. No muster-rolls returned to this department.

Eighth Mississippi Battalion—Sharpshooters: Major, W. C. Richards. No muster-rolls returned to this department.

Tenth Mississippi Battalion—Infantry: Major, W. A. Rayburn. No muster-rolls returned to this department.

Eleventh Mississippi Battalion—Heavy Artillery: Lieutenant-colonel, R. Sterling. No muster-rolls returned to this department.

First Regiment Minute Men: Colonel, Benjamin King; lieutenant-colonel, J. Lawhon; major, B. F. Sutton. Time expired.

Second Regiment Minute Men: Colonel, D. H. Quinn; lieutenant-colonel, James M. Conerly; major, J. O. Magee. Time expired.

Third Regiment Minute Men: Colonel, William J. Owens; lieutenant-colonel, J. A. Harlin; major, F. C. Mercer. Time expired.

Fourth Regiment Minute Men: Colonel, W. C. Bromley; lieutenant-colonel, J. J. Stone; major, B. M. Kilgore. Time expired.

Fifth Regiment Minute Men: Colonel, Henry C. Robinson; lieutenant-colonel, D. W. Metts; major, Samuel J. Randell. Time expired.

First Battalion Minute Men: Major, W. B. Harper. Time expired.

Second Battalion Minute Men: Major, Henry F. Cook. Time expired.

Third Battalion Minute Men: Lieutenant-colonel, Thomas A. Burgin; major, B. B. Moore. Time expired.

Fourth Battalion Minute Men: Lieutenant-colonel, A. J. Postlethwaite; major, John D. Farley. Time expired.

First Battalion Cavalry Minute Men: Major, G. L. Blythe.

CAVALRY ORGANIZATIONS.

First Regiment: Colonel, G. L. Blythe; lieutenant-colonel, A. C. Edmondson; major, C. L. Bowen. Term of service expired and in process of reorganization.

Second Regiment: Colonel, J. F. Smith; lieutenant-colonel, W. L. Lowry; major, ——— ———. Company A, Capt. S. G. Street; Company B, Capt. W. K. Posey; Company C, Capt. W. G. Martin; Company D, Capt. W. H. Wilson; Company E, Capt. E. M. Wells;

Company F, Capt. Joseph A. Johnson; Company G, Capt. George Isbell; Company H, Capt. D. C. Gilleylin; Company K, Capt. W. L. Lowry.

Third Regiment: Colonel, John McGuirk; lieutenant-colonel, J. A. Barksdale; major, B. M. Kilgore. Company A, Captain Stillwell; Company B, Capt. W. L. Farris; Company C, Capt. T. J. Kyle; Company D, Capt. John W. Logan; Company E, Capt. T. M. Griffin; Company F, Capt. H. H. Barksdale; Company G, Capt. James A. Barksdale; Company H, Capt. B. M. Kilgore; Company I, Capt. T. W. Webb.

Ham's Battalion: Major, [T. W.] Ham. Company A, Capt. B. H. Estes; Company B, Capt. T. F. M. Payne; Company C, Capt. J. P. Yates; Company D, Capt. W. L. White; Company E, Capt. C. W. McNeill.

Davenport's Battalion: Major, S. Davenport. Company A, Capt. H. B. Brown; Company B, Capt. W. P. Pardue; Company C, Capt. C. H. Carter. Transferred to Confederate service.

Perrin's Battalion: Lieutenant-colonel, R. O. Perrin; major, A. C. Reed. Companies—Captain Perrin's, Captain Allen's, Captain Metts', Captain Moseley's, Captain Montgomery's, Captain Rayburn's, Captain Foard's, Captain Thomas', Captain Walker's.

Unattached companies: Herndon Rangers, Lieutenant Montgomery commanding; Mississippi Rangers, Capt. W. B. Peery; Weatherall's, Capt. J. T. Weatherall; Gholson Guards, Capt. T. C. Bookter; Hartin's company, Capt. J. A. Hartin; Buford's company, Capt. J. H. Buford; Hall's company, Captain Hall; Saunders' company, Captain Saunders; Thames' company, Captain Thames (disbanded); Red's company, Captain Red (organized and gone into Confederate service).

Cavalry companies unattached: Capt. Samuel Mathews, Capt. J. B. Dunn, Capt. W. B. Prince, Capt. A. H. Forrest, Capt. W. C. Maxwell, Capt. R. L. Adams, Captain Stillwell, Capt. W. F. Gartley, Captain Weatherall.

Local defense companies.

Name of company.	County.	Captain.	Description.	No.
Leake Rangers	Leake	J. Nash	Cavalry	36
Capitol Guards	Hinds	W. W. Hardy	Infantry	71
Knox's company	Neshoba	J. G. Knox	Cavalry	45
Morgan Riflemen	Calhoun	C. C. Morgan	do	35
Foote's company	Noxubee	H. W. Foote	do	25
Yalobusha Rangers	Yalobusha	L. R. Stewart	do	58
Vaiden Guards	Carroll	W. J. Booth	Infantry	56
Fant's company	Noxubee	A. E. Fant	do	37
Burt's company	West Point	William Burt	do	43
Barr's company	Calhoun	A. Barr	do	33
Gage's company	Louisville	W. A. Gage	do	44
Choctaw Silver Grays	Choctaw	G. W. C. Drane	do	26
Choctaw Reserves	do	James Drane	Cavalry	40
Local Guards	Wilkinson	G. H. Gordon	Infantry	28
Semple's company	do	R. Semple	Cavalry	22
Slate Springs	Calhoun	T. K. McCord	do	46
Hightower's	do	Thomas Hightower	do	36
Standefer's	Chickasaw	J. J. Standefer	Infantry	51
Neshoba Rangers	Neshoba	J. McH. Wilson	Cavalry	32
Terry's company	Chunkey Station*	P. P. Terry	Infantry	20
Foster Creek Rangers	Copiah	H. G. D. Brown	Cavalry	27
Boomerangs	Pontotoc	S. H. Taylor	do	24
Wilson's company	do	H. C. Wilson	Infantry	27
Williams' company	Itawamba	Thomas Williams	do	24
Wesson Artillery	Choctaw	J. C. Kittrell	Artillery	39
Noxubee Home Guards	Noxubee	J. B. McLelland	Cavalry	28

*Newton County

[NOVEMBER 3, 1863.—For Seddon to Vance, in relation to the effort made to enlist troops east of the Chowan River, &c., see Series I, Vol. XXIX, Part II, p. 818.]

[NOVEMBER 3, 1863.—For McCulloch's circular, calling upon the men of the Northern Sub-District of Texas to organize for local defense, see Series I, Vol. XXVI, Part II, p. 388.]

GENERAL ORDERS, No. 144. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 6, 1863.*

To relieve prevalent misconceptions in regard to the policy and practice of the Department on the subject of impressment, the following, being extracts of general orders of March 19, is repeated:

GENERAL ORDERS, No. 31. ADJUTANT AND INSPECTOR GENERAL'S OFFICE, *Richmond, March 19, 1863.*

In consequence of numerous applications made by various persons to the War Department, it is obvious that some misconception in regard to the instructions of the Secretary of War in relation to the impressment of supplies must exist on the part of the people, or that the agents of the Government have violated their instructions. Now, therefore, for the purpose of removing such misconception, and to prevent any violation of those instructions, it is hereby ordered:

I. That no officer of the Government shall, under any circumstances whatever, impress the supplies which a party has for his own consumption, or that of his family, employés, or slaves.

II. That no officer shall at any time, unless specially ordered so to do by a general commanding in a case of exigency, impress supplies which are on their way to market for sale on arrival.

III. These orders were included in the instructions originally issued in relation to impressment by the Secretary of War, and the officers exercising such authority are again notified that "any one acting without or beyond" the authority given in those instructions will be held strictly responsible.

In conformity with the foregoing, to prevent any inconsiderate action on the part of officers or agents charged with the duty of impressment, they are enjoined, until further orders, which will not be given unless under imperative exigencies for the supply of the Army, not to impress any necessaries of subsistence to man, owned by producers, in transitu to market, or after arrival at market, unless retained an unreasonable time from sale to consumers.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 145. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 7, 1863.*

The following appendix to the report of the appraisers for the State of Virginia is published for the information of all concerned:

Hon. JAMES A. SEDDON:

SIR: As indicated in our last report, we respectfully submit a few changes in our schedules of prices. Upon the various grades of cotton and woolen cloths

and warps used by the Government we assess the prices annexed to each description of goods as follows:

	Article.	Quality.	Description.	Quantity.	Price.
67	Army woolen cloth, 3-4 yard	Good	10 ounces per yard	Per yard	$5.60
68	Army woolen cloth	do			(a)
69	Army woolen cloth, 6-4 yard	do	20 ounces per yard	Per yard	10.00
70	Army woolen cloth	do			(a)
71	Flannels, 3-4	do	6 ounces per yard	Per yard	4.00
72	Cotton shirtings, 3-4	do	4½ yards to pound	do	.56
73	Cotton shirtings, 7-8	do	3¾ yards to pound	do	.84
74	Cotton sheetings, 4-4	do	3 yards to pound	do	.87½
75	Cotton, Osnaburg, 3-4	do	6 ounces per yard	do	.75
76	Cotton, Osnaburg, 7-8	do	8 ounces per yard	do	.88
77	Cotton drills, 7-8	do	3 yards to pound	do	.88
78	Cotton shirting, stripes	do	do	do	.88
79	Cotton tent cloth	do	10 ounces to yard	do	1.12
80					(b)
81	Cotton warps	do		Per pound	2.00

(a) Pro rata as to greater or less width or weight.
(b) On the above enumerated cotton cloths, pro rata as to greater or less width or weight.

Good hay taken on the farms of producers, unbaled, we assess at $3 per 100 pounds, and good wheat straw taken on the farms of the producers we also assess at $1.30 per 100 pounds, unbaled. For hauling hay and wheat straw, &c., per 100 pounds, 8 cents per mile, and for hauling corn and wheat per bushel, 4 cents per mile, and for baling hay and wheat straw, 50 cents per 100 pounds.

Upon further consideration we have assessed the price of good fat, fresh pork at 60 cents per pound, net weight.

We respectfully suggest to the Secretary of War to have our reports and schedules printed in hand-bill form, and that several copies be furnished to each of the quartermasters' and commissaries' agents engaged in impressing for the Government.

Most respectfully,

E. W. HUBARD,
ROBT. GIBBONEY,
Commissioners of Virginia.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, SUBSISTENCE DEPT.,
Richmond, November 7, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have the honor to transmit herewith an estimate of funds for the subsistence of the Army for the six months from January 1 to June 30, 1864. The estimate forwarded to you on the 3d instant was made for the period of one year, because the estimate furnished before the last meeting of Congress, made for six months, was returned to be made for one year. The estimate of funds for the current year was made under the impression of the possibility that the Bureau might be able to obtain for issue to troops all the articles prescribed by regulations as a part of ration. In consequence of the difficulty of transmitting funds to Europe, the deficiency of tonnage to bring over the small quantity of supplies which have been purchased there, and the failure of almost all contractors to comply with their engagements, it has not been possible to do this, and hence the large part of the last estimate now unexpended.

It is respectfully submitted, however, that it will not be proper to deduct the whole of the balance from the estimate for the ensuing

year, as officers of this Bureau are now engaged in buying up the rice and corn crops of South Carolina and Georgia, which are to be paid for from this appropriation. In addition to this it may be stated that from the great difficulty which has been experienced in obtaining funds from Treasury many officers have been obliged to buy almost entirely on credit, and that hence the amount of outstanding certified accounts is very great.

Believing, however, that both these purposes will not require more than half the amount of unexpended appropriations ($103,378,251), $50,000,000 have been deducted from the estimate.

In making the estimate no account has been taken of the supplies to be received on account of tax in kind, as at this date no data can be obtained on which to base a calculation of the probable quantity to be gotten from that source.

Very respectfully, your obedient servant,

L. B. NORTHROP,
Commissary-General of Subsistence.

The amount of the estimate is $57,988,000.

BUREAU OF CONSCRIPTION,
Richmond, November 7, 1863.

Maj. S. W. MELTON,
Assistant Adjutant-General:

SIR: I have endeavored to procure from the scanty material now in this office the information you desired to be furnished you in order that you might see what conscription had done in the past, and what it would probably do in the future, in filling up the ranks of the Army.

The data upon which this report is made, you will perceive, is taken from the four States of North Carolina, South Carolina, Georgia, and Virginia. The business of conscription in the other States of the Confederacy east of the Mississippi River having been turned over to the bureau of which General Pillow has charge, this office does not afford in respect to them any data upon which to base even a conjecture upon the points submitted by you.

The superintendent of this Bureau some time since issued a circular to the commandants of conscripts calling for reports upon all the points upon which you desired information. These reports have not yet been received, but are expected certainly during the present month. The accompanying paper, marked A, will give you the total number of men enrolled, detailed, and assigned to the Army in these States, as appears from reports made to this office. It is believed that in these States three-fifths of the material under the present law has been absorbed in the execution of the conscript law; in other words, that for every three men who have been enrolled and put into the Army two yet remain in these States liable to conscription. It will be seen that of the number of men who have been enrolled about two-sixths have been put into the Army, one sixth detailed, and the remaining three-sixths have been exempted by virtue of their avocations and the laws of Congress. Let us say, then, that there have been enrolled (in round numbers) 75,000, of which two-sixths have been assigned to the Army (25,000), one-sixth have been detailed (12,500), three-sixths, the remainder, have been exempted (37,500)—total, 75,000—and that the same proportions will be observed in the

remaining two-fifths of the material remaining in the States now liable to conscription. There will remain for enrollment 50,000, of which two-sixths will be assigned to the Army (16,667), one-sixth will be detailed (8,333), three-sixths will be exempted (25,000); total, 50,000. The number to be added to the Army may, then, be stated as follows: From those now liable, 16,667; from persons arriving at eighteen during the year, 2,500; total, 19,167. My own opinion is, however, that the number of details and exemptions will not be so large in proportion in the future as in the past, and I think, with the proper effort and energy upon the part of the officers, the number of additions to the Army from the foregoing sources may be estimated for the next year at 25,000.

From the best information I can get at I should estimate the number of substitutes that have been put into the Army at 5 per cent.; some estimate it as high as 10. The rolls of the regiments in your office will, it is presumed, give you more accurate information upon this point.

There are a very large number of spurious substitute papers in the hands of persons who are remaining out of the Army until the validity of the papers can be passed upon. The number in all the States, it is believed, will reach from 10,000 to 15,000.

The proportion of absentees without leave, it appears, so far as the reports have reached this office, is about 10 per cent.

This is the nearest approximation I can make from the material at hand, and I have given you the data upon which it is made.

Very respectfully, yours,

T. P. AUGUST,
Colonel, &c.

A.

Enrolled:	
North Carolina	14,465
South Carolina	8,800
Virginia	33,386
Georgia	15,471
	72,122
Detailed:	
North Carolina	2,651
South Carolina	600
Virginia	5,808
Georgia	3,265
	12,324
Assigned to the Army:	
North Carolina	10,678
South Carolina	5,000
Virginia	5,390
Georgia	4,370
	25,438
Total detailed	12,324
Total assigned to the Army	25,438
	37,762
Total exempted	34,360
Total enrolled	72,122

HEADQUARTERS DEPARTMENT OF THE GULF,
Mobile, Ala., November 7, 1863.

General SAMUEL COOPER,
Adjt. and Insp. Gen., C. S. Army, Richmond, Va.:

GENERAL: I again call your attention to my request to accept into the Confederate service the company of creoles of Mobile, because I think that perhaps the War Department is not exactly informed about the people I have reference to. When Spain ceded this territory to the United States in 1803, the creoles were guaranteed all the immunities and privileges of the citizens of the United States, and have continued to enjoy them up to this time. They have, many of them, negro blood in the degree which disqualifies other persons of negro race from the rights of citizens, but they do not stand here on the footing of negroes. They are very anxious to enter the Confederate service, and I propose to make heavy artillerists of them, for which they will be admirably qualified. Please let me hear at your earliest convenience if I may have them enrolled in a company, or in companies if I can find enough of them to make more than one company.

I am, general, very respectfully, your obedient servant,
DABNEY H. MAURY,
Major-General.

[First indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
November 20, 1863.

Respectfully submitted to the Secretary of War. An application to have a company of creoles at Mobile accepted into Confederate service.

By order, &c.:
JOHN W. RIELY,
Captain and Assistant Adjutant-General.

[Second indorsement.]

[NOVEMBER] 24, 1863.

Our position with the North and before the world will not allow the employment as armed soldiers of negroes. If these creoles can be naturally and properly discriminated from negroes, the authority may be considered as conferred; otherwise not, unless you can enlist them as "navvies" (to use the English term) or for subordinate working purposes.

J. A. S.,
Secretary.

CONFEDERATE STATES OF AMERICA, TREASURY DEPT.,
Richmond, November 7, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have the honor to inclose herewith copy of letter to this Department from C. J. Helm, esq., Havana, advising of the progress of the agents of this Department sent out with funds, and for the reissue of Treasury notes to meet the necessities of disbursing officers in the Trans-Mississippi Department, to which I would respectfully call your attention.

Very respectfully,
C. G. MEMMINGER,
Secretary of the Treasury.

[Inclosure.]

HAVANA, *October 23, 1863.*

Hon. C. G. MEMMINGER,
Secretary of the Treasury:

SIR: I have the honor to acknowledge the receipt of your two notes, one by the hands of Mr. Santos, dated 22d July, and the other brought by Mr. C. C. Thayer, dated 4th ultimo. Mr. Thayer reached here on the 19th instant with his packages, and Mr. Santos on yesterday. I was enabled, with their assistance, to arrange for passage for themselves, their two assistants, and freight for their eleven packages on a very fast, fine English schooner, which will sail to-morrow for Matamoras. The schooner is commanded by a skillful, energetic man, devoted to our cause, and arrangements made to secure the safe arrival of the packages, if possible, or their being thrown overboard in the event it becomes necessary. I shall advance Mr. Thayer such sum of money as he may require for himself and Mr. Santos. He thinks he will need some $700 or $800. Major Mathews returned from Tampico, reporting the impracticability of the overland route. I then sent him on an English schooner remarkable for speed, and I think his chances very good for getting in safely. I, however, still think the route overland practicable and safe. I respectfully refer you to that part of my dispatch of the 24th ultimo touching the great risk of sending such valuables from this [place] to Matamoras by such vessels as are only in the trade.

I am, sir, with great respect, your obedient servant,

C. J. HELM.

GENERAL ORDERS, No. 146. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 9, 1863.*

I. The subjoined statement of the cost of clothing for the Army is published for the information and guidance of all concerned:

Statement of the cost of clothing for the Army of the Confederate States for the year commencing January 1, 1864.

Cap, complete	$2.00
Cover	.38
Jacket	14.00
Trousers	12.00
Shirt	3.00
Drawers	3.00
Shoes (pair)	10.00
Socks (pair)	1.00
Leather stock	.25
Greatcoat	25.00
Stable frock (for mounted men)	2.00
Fatigue overall (for engineers and ordnance)	3.00
Blanket	10.00

II. From the time this takes effect, and until further orders, soldiers will be charged and credited on account of clothing to which they are entitled, as provided in General Orders, No. 100, last series, at these rates, and not at invoice prices.

By order:

S. COOPER,
Adjutant and Inspector General.

EXECUTIVE DEPARTMENT,
Milledgeville, Ga., November 9, 1863.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

SIR: I have the honor to acknowledge the receipt of your letter of the 31st ultimo upon the subject of impressment. Deeply regretting, but feeling assured of the truth of your statements in reference to the embarrassments that do now and for some time past have attended the operations of the commissaries of the Army, I have felt it my duty to aid and encourage them in procuring supplies and to sustain them with all my influence in making legal impressments. There have been so many outrages committed in this State under the guise of making impressments for the Army by unauthorized persons, who have resorted to it as a convenient mode of stealing and robbing from peaceful and unoffending and in many cases unsuspecting citizens, and so many irregularities and acts of partiality, injustice, and oppression committed by some of those who are authorized to make impressments, stripping some of nearly all their provisions and stock, in violation of the act of Congress, and refusing to grant to the owners the rights provided for them in the act, that I have felt it to be my duty to interpose in behalf of common justice and right, and if possible to force lawless persons to abandon this mode of robbery, and legally authorized impressing agents to discharge their duties in subordination to the laws of the country and the acts of Congress.

I assure you that I have no disposition whatever to interfere with the legal execution of the laws regulating impressment, but, on the contrary, to aid and encourage it. It is due to the people that the burdens of supporting the Army should be, as nearly as practicable, equally distributed, and it is grossly unjust that agents indisposed to perform their duties faithfully should be tolerated in going into some sections and neighborhoods and taking from the people all they have to subsist upon, in violation of law, denying them the right given by law of an arbitration, which the act of Congress entitles them to, and at the same time leaving other persons and neighborhoods and sections untouched. I have called the attention of the General Assembly of this State, now in session, to the subject, and have recommended the enactment of penal laws to punish those who are unauthorized and who resort to this method of committing robberies upon the people, and also of authorized agents who violate the laws of Congress, under which they are appointed, and which laws are wisely intended to restrain and regulate them. There is, as I before stated, not the slightest intention on my part or of the Legislature, so far as I know or have reason to believe, to interfere with impressments that are legal and conducted in accordance with the laws of Congress.

While this is true I feel it to be my duty, in this our great time of need and difficulty in supplying the Army with provisions, to endeavor to impress upon your mind the absolute importance and necessity of a change of policy on the part of the Government upon the subject of the compensation allowed to owners for articles purchased or impressed for the use of the Army. The effect of the present system of low prices and inadequate compensation, imposing as it does the burdens of supplying the Army upon the producing classes, levying contributions upon them in every case to the extent of the difference in the price paid by the Government and the market value, a burden in which other tax-paying classes do not share, is to withhold the

supplies from the market and cause them to be secreted and concealed from the Government agents. This result has inaugurated the system of supplying the Army by impressment instead of by purchase, which is contrary to the true policy of the Government and against the injunctions in the act of Congress which forbids impressments until after there is a refusal to sell. By this system and under its baneful operations to the difficulty of procuring supplies and the danger of suffering in the Army for the want of food is added the evil spirit, bordering already in many cases upon open disloyalty, which it engenders among the people.

The evil increases and must of necessity continue to increase so long as the Government persists in taking the produce of the people at rates so far below the market price and in distributing the operations of impressing agents so unequally in the different sections of the country. So far as I am able to understand the spirit of our people, they are willing and ready to furnish to the Government whatever they can possibly spare and to give the preference to the Government over all other consumers, but not so when they see the burdens so unequally imposed.

I therefore urge upon your early consideration the necessity of a change of policy and the propriety of paying the market price for all articles purchased, which will supersede the necessity in most cases of making impressments at all and restore quiet to the disturbed communities of this State.

If this change cannot be made under the law as it now exists, I would through you urge upon the President the importance of procuring a speedy change of the law.

I am, very respectfully, your obedient servant,

JOSEPH E. BROWN.

[NOVEMBER 9, 1863.—For Magruder to Murrah, in relation to retaining the Texas State troops for the war, see Series I, Vol. XXVI, Part II, p. 398.]

RICHMOND, VA., *November 11, 1863.*

HON. JAMES A. SEDDON,
Secretary of War:

SIR: In accordance with your memorandum 27th ultimo, I have had the honor to submit a report showing the number and distribution of our armies, the changes in these particulars since January, and incidentally the losses sustained in numbers; the "relation between the present and absent now and last year," and "the percentage of absentees."*

The report contains nothing in reference to the condition of our armies, their discipline, organization, and efficiency; nothing in regard to the character of the waste and losses, how sustained, and how far and by what means repaired; nothing as to the causes, whether permanent or not, of absence from the Army. Upon these important points the records of the Adjutant and Inspector General's Office are silent, and any suggestions upon them must be purely conjectural and entitled to no consideration whatever.

That such information should be at all times available through the agency of this office is evident; that it is not available suggests

* Report not found.

inquiries and reforms which demand serious attention. I beg to make a suggestion, with the remark that but for the kind invitation contained in the Honorable Secretary's memorandum suggestions coming from me, a civilian and subordinate, involving in some measure a criticism upon the conduct of this office, might be regarded as indelicate and perhaps a breach of official propriety. So far, therefore, as it must necessarily trench upon the "proprieties" I beg the Honorable Secretary to regard this communication as unofficial and confidential. The remedy will be found, I think, in the employment of an assistant inspector-general. This does not require legislation. The office should only exist for the war; at least the demand for it would not be so imperative in a peace establishment, and be filled by an energetic, practical business man, not necessarily an old army officer (whose experience in a peace establishment of 20,000 regulars seldom fits him to appreciate the "height of the argument" involved in a war establishment of 400,000 volunteers). The reform can be inaugurated simply by the assignment of an officer in the Adjutant-General's corps to duty as "assistant inspector-general," thus creating a sort of bureau in General Cooper's office charged with the collection and preservation of the rolls, rosters, reports, returns, the preparation and issuing of forms and blanks, but chiefly charged with a direct, thorough, and energetic superintendence of inspections throughout the armies.

The customs of service, founded, I suppose, in wisdom, prevent direct communication between this office and adjutants-general in the field. This need not be true of inspectors. To be more explicit, the chiefs of the Quartermaster's, Commissary, Medical, and Ordnance Bureaus communicate directly, and transact business personally with officers of their respective departments in the field, holding them to direct responsibility, and interfering in some measure to direct and control their discharge of duties. Similar relations, I would argue, should be established between the Inspector-General and inspectors in the field, by which the duties of the latter would be directed and made uniform, efficient, and productive of substantial results. The Inspector-General would thus have perfect knowledge of the personnel of his department, could instruct them as to their many important and ill-defined duties, of which, by the way, general officers have meager and very inadequate conception, and it would only be necessary to clothe the Inspector-General with discretion in the disposition of his officers to produce great practical results of vast import to the discipline and efficiency of the Army, and of which the mere gathering of data and statistics would be the least valuable.

When the offices of adjutant and inspector were united under one general head it was certainly not designed to ignore that of the inspector. It was supposed, as they are very intimately connected, they could properly be discharged by one person. So they might if the officer in charge were capable of vigorous and sustained labor, and the Army contained 20,000 regulars only. As the Army is engaged in war and numbers 400,000 men who are volunteers, it requires that the chief should have a competent, earnest, and industrious "assistant," selected from his corps, invested with his authority, and himself assisted by subordinates obtained from the same source and distributed throughout the Army. The appointment of these subordinates, I am rejoiced to learn, has been conceded by the Executive. They

should at once have a head, to give them work and make them do it. In a search for data upon which to base a suggestion as to the best mode of increasing the numbers of the Army, I called upon the Superintendent of Conscription. At present nothing is attainable from that source beyond the conjectural estimates already submitted, which are not sufficiently reliable. Under the direction of the Honorable Secretary, Colonel Preston has called for reports and instituted a most admirable system, from which ample and reliable data may soon be obtained.

Enough now appears, however, to assure us that the conscription laws now in force will be utterly inadequate to restore to our armies the numbers they contained last January, and to preserve this strength during the coming year. This will require at least 100,000 men, to say nothing of the number which would be required to change radically the character of the contest (the necessity for such a change into an offensive war may well be gravely considered). I believe that upon the reception of Colonel Preston's report it will be found that the requisite number of men can be obtained readily by abolishing the present system of exemptions and substitutions, and adopting a law making all exemptions and substitutions discretionary with the Executive, thus rendering liable to conscription all persons of whatever class or condition between the ages of eighteen and forty-five.

The theory of exemptions is neither just in its operation between man and man, nor is it in accordance with the great argument upon which rests our ability to control this contest successfully.

It is unnecessary to remark that it is unfair, unjust, to exempt a man from the service of his country because he happens to be a shoemaker; or to add that the distinction is grossly invidious because the argument upon which it rests is simply false. Shoemakers, millers, &c., can be found in abundance, amply sufficient for the wants of the country, among the classes over the ages and unfit for service by reason of servitude. It is in our system of slave labor that our great strength consists; this it is which makes our 8,000,000 productive of fighting material equal to the 20,000,000 of the North; and the problem which must be worked out is so to adapt our peculiar system of labor as most effectually to relieve the fighting population from the obligations of production and manufacture. A certain proportion of men must remain at home, it is true—not to work, but to direct labor and maintain police. These purposes can be sufficiently met by the number exempt by reason of age and disease, it being better, I think, not to extend the ages which, over forty-five, will find many men incapacitated for service but who at the same time can answer all the purposes of economy.

To have permitted substitution at all was a most glaring error, which cannot be adequately remedied except by applying the ax to the root and undoing the system from the first entirely. I am persuaded that the people would cheerfully submit to a law annulling the contract between the principal, substitute, and the Government upon refunding the substitute money. The number of men to be secured by such a measure is very large. Of the number of substitutes, a large proportion have themselves become liable to conscription; and of the remainder, an equal proportion is in hospital, or at home upon permanent furlough, or dead; while a fearful proportion of substitute papers are fraudulent, and have contributed nothing of strength whatever. It may be said that principals whose substitutes

have become liable to service on their own account are themselves liable; but apart from the interference of the courts, it is exceedingly difficult to deduce from the dictum a practical result. These considerations become very important in view of the facts that there are not, I believe, more than 3,000 or 4,000 substitutes over the age of conscription actually in the field; while it is a moderate estimate to assert that there are 50,000 able-bodied conscripts out of the field, by reason of substitution. If it were worth while it might be remarked that upon refunding the money to the principal the Government would in equity be entitled to the services of these 3,000 substitutes. These suggestions may involve another—the suspension of habeas corpus. Very well. The crisis is a fearful one, and men must be found to constitute our armies, else all is lost.

It might be well to extend the ages with a view to placing the men under control of the Government, so that they may be compelled to answer the purposes of labor and production and meet the ends for which exemptions and details are now made. I do not think the benefit will counterbalance the evils to result from forcing them into new channels of industry. In other words, I think that allowing them untrammeled to provide for the social and domestic economy the country will take care of itself, but will not be competent to do more. Again, I am disposed to argue the matter in full view of the fact that our laws must proceed from Congress—a body of men fallible and very keenly alive to sentiment at home. They will not abrogate the system of exemptions and substitutions and at the same time extend the ages. By demanding, in their opinion, too much may we not lose our ability to enforce a demand for less? Had we not better state candidly and precisely what we imperatively need, and insist upon it as vital and inexorable? The details made by the Bureau and the War Department must be terminated, and none permitted, except to parties actually supplying material to the Government, and then when made to contractors upon terms which would make it to their interest to obtain their labor elsewhere if possible. This will bring the surplus labor over forty-five, and negro labor fairly into contribution, and place the burden of production and manufacture where it belongs, and where I have already said it is our peculiar happiness to place it. This may enhance the price of material, of transportation, &c., but it will send men to the Army, and acquit the Department of the charge of weakening the force of the great argument upon which our strength depends. Besides the services of the man belong to the Government, and his detail is purely a gratuity, and that, too, to individuals as unpatriotic as they are unscrupulous. Let them pay a round price, not only because the commodity is worth it, but because a round price will cause them to look elsewhere, and not absorb, in their lust, the very lifeblood of the cause.

Now and then instances will occur, I know, as in the operation of all general rules, where exemptions and substitutions and details are imperative. Let such cases be included in the discretionary power of the Executive; to be exercised by the agencies of conscription.

Has it occurred to the Honorable Secretary that conscription might be extended to the free negro population? In the report I have submitted he will find no inconsiderable figures under the head of "Extra duty." Much of this duty, nearly all these figures occasioned by details as teamsters, &c., might be supplied by free negroes, whose

services are as clearly due as those of any other class of population. The suggestion is, at least, worthy of consideration.

The report I have submitted exhibits the number of regiments and battalions whose terms of service expire during the coming year. That these must be held to additional service without intermission is, I take it, a foregone conclusion. The Army and the country alike expect it, and are prepared to submit to it. Beyond the mere act of conscription there is no necessity for legislation, unless it be to confirm the authority of the War Department to consolidate and disband. This authority has frequently been exercised, but it is questionable; and as the necessity for its exercise, both as to the war and the three-years' organizations, is becoming imperative, it is important that the warrant be clearly ascertained by law.

But while there is no necessity for legislation, it is well to consider that the troops will demand the privilege of reorganization; and as some sort of compensation for the very great sacrifice they make in continuing their service, the Congress will grant it. Congress may understand the pernicious effect of elections. Every one—the soldier himself—appreciates the truth. But they will yield because the demand is made, as it will be, by our heroic and self-sacrificing soldiery. It will be achieving much if the Department can confine this reorganization to companies and the elections to company officers. This will not, indeed, work serious injury, if a more liberal authority be given to the Executive to make appointments for merit. The appointment of all field officers should be insisted upon pertinaciously of course, and the law should permit the President to fill all vacancies by appointment, restricting the choice only to persons from the same State. The law permitting appointments for "valor and skill" restricts the selections to a field much too narrow, and it is for this reason almost a dead letter.

For every valuable purpose, especially for discipline—the great object—it is the officers of merit rather than of valor whose services are needed. The authority, therefore, is misdirected and well-nigh inoperative when "instances of extraordinary valor and skill" are requisite as conditions precedent to appointment, and when the appointment must be made only in the company to which the applicant belongs.

The evils of elections are most trying and most pernicious when held to fill vacancies "in the lowest grade." This system has almost utterly destroyed the efficiency of non-commissioned officers, whose services in the work of discipline are incalculably important, while it perpetuates day after day all the derelictions of duty winked at by successful aspirants. Far better to allow once for all a full election of company officers, if with it can be obtained a power of appointment by which further elections may be prevented when advisable.

The evils of a reorganization would be in a great measure cured by a law making promotions by seniority less imperative. Indeed, this law, in my opinion, imperatively demands reforming in any event. It is the source of much of the inefficiency which yet marks our armies. The argument upon which it is based always was purely fictitious, and moreover arose from assumptions which cannot be predicated of our armies. It was perhaps very well in the old service—in the peace establishment—where every soldier was a blackguard and every officer was a gentleman, educated, carefully selected by appointment, who made the Army his vocation, and could readily be presumed to improve with the progress of his years. But in our armies, where

officers are elected and where, even if appointments are made, the very burden of numbers precludes the possibility of rigid requirements, to be an officer is not necessarily to be a gentleman, or trustworthy; and to be old in rank does not in any degree argue proficiency. or unusual skill; and the argument upon which the fiction rests is without foundation and void. Indeed, apart from the law, that an officer should claim promotion by seniority as a right, or refuse to have others of superior merit promoted over him, is simply an affectation—a bold imitation of the old esprit, without a particle of the substance. It might be well to accord precedence to seniority when other things are equal, but "other things being unequal," prior date should be made to yield promptly to superior merit and the pressing exigencies of a service involving the life or death of the country.

In other words, it ought not to be demanded that the senior in rank should be proved utterly incompetent; it ought to be sufficient if his junior is shown to be clearly his superior, the object being not the promotion of individual interests, but the success of an imperiled cause. I know that strong arguments are urged in behalf of official esprit, looking to the cultivation and preservation of a laudable ambition, &c., but I earnestly believe these cannot be attained by such means except at a cost far exceeding their value; indeed I might argue that they may be obtained in the most valuable shape by making actual merit the only standard.

Reform, too, is earnestly suggested in the matter of boards of examination. They should be made imperative in every instance of promotion. It will not do to leave it to general officers to determine when boards shall be convened, and whether an officer does or does not deserve to appear before them. I know that this privilege is grossly abused, and a field open which is fully occupied for the exhibition of personal partialities and intrigues for personal popularity. Very many, if not all, general officers are politicians in their way; the routine of duty very soon dulls their quantum of earnestness, and they are perhaps not more infallible than other men. To this the fact that they command troops from their own State contributes in a large degree.

To sum up, where seniority accords priority of right, the aspirant should in every instance be made to show not only his competency, but his superiority. The whole sum and substance of the inefficiency in our armies is due to indifferent leadership; this without qualification is the truth. The men are brave, true, patient, unmurmuring, obedient, exceedingly tractable, and they need only be taught and led to achieve everything.

The Honorable Secretary will pardon me if I cite an instance. A neighbor of mine, a man of good parts, but wanting decision and firmness of purpose and industry, entered the service as second captain in a war regiment. He avoided the affair at Port Royal; he went upon the very verge of the battle of Mechanicsville and suddenly became sick, and was actually at home in South Carolina without leave before the seven-days' fight ended; returned just in time for the second Manassas, which he avoided by lying aside in the woods upon the pretext that he could not find his regiment; went upon the verge of Sharpsburg, when he left and crossed the Potomac upon the pretext of a too slight wound. The casualties of time and the service disposed of his superiors and he rose step by step to the colonelcy, which he now holds without a question being made at any time or any action taken to make him responsible for derelictions of duty;

and now I would wager deeply he has not an officer under him who is not his superior in knowledge of drill and the duties of his profession. He cannot, even indifferently, drill a soldier, a company, or a battalion. But he is astute, managing, shrewd, and by these arts succeeded. This is but one of a thousand instances, even in General Lee's army, where much more strictness is observed than elsewhere.

In this connection I would respectfully urge upon the Honorable Secretary's earnest attention the importance of a prompt action upon the reports of boards, and I would suggest with great deference that under his prodigious burden of work the Secretary cannot give to these reports any amount of personal attention whatever; it is useless to attempt it. It can only allow a spasmodic action now and then, without careful deliberation, and with an absence of system which utterly neutralizes the effect. The Army cannot wait in this matter, and it will not. Many complaints have been urged against these delays, and I have been assured they are the cause of much of the illegal action which we are daily endeavoring to correct, and have produced in all the armies a strong indisposition to appeal to the agency of boards at all. The only remedy is to turn over the entire duty to a competent officer, with full authority to make final decisions in your name, with nothing else to do; and with industry and brains and heart equal to the work. If one such officer can do the work I shall be surprised. With the encouragement thus given to the boards it will soon require two. Better employ a hundred and have the work done promptly, thoroughly, and justly. I am sure the Honorable Secretary appreciates the truth that nothing would contribute more to the perfection of discipline in our Army. I feel it so urgently that I fear I may have given way to the expression of it too warmly. The offense is, I hope, a venal one.

The staff deserves earnest consideration. My limited experience in the service has been sufficient to convince me that the importance of an efficient staff has been much underestimated, and that it cannot be overestimated. In the work of discipline, in the matters of supply, in the successful pursuit of the campaign, well-nigh everything depends upon a competent, earnest, and laborious staff. The Army is child-like, utterly dependent. The general cannot be ubiquitous—is indeed but a man. The staff must make up the complement.

While it is, and should be esteemed, the most important, I regret to believe that the staff is in our Army the most indifferent feature. Staff officers are as a rule men too young in years, given to levity of mind and conduct, and absorbed in attention to their personal concerns. They are brave and chivalrous young men, daring in action, nothing more; and their daring is not worth the daring of the private soldier—it does not kill, and is worthless as an example, because they have failed elsewhere to inspire respect and confidence. There are many causes for this state of things. While promotion is rapid in the line, it comes scarcely at all in the staff; and if at all it is the incident attending the promotion of the chief, and not the reward of merit.

It is perhaps, in a contest like this, an instance of frailty that men of brains, of enlarged mental and business capacities, will not seek employment, however useful, where there are no rewards; and if they by mistake fall into such employment they are too prompt to leave it for more inviting and promising labors. Again, men receive staff

appointments simply because a vacancy exists, and the general with whom they are to serve asks for them, thus according everything to an authority which, let me repeat, is not often earnest, but much oftener swayed by personal partialities and considerations of policy and too often of nepotism. These criticisms will be met by the fact that in so large an army it is impossible for the War Department to be thoroughly informed as to the personnel of the staff. This is true to a considerable extent, and bears upon both the points I have made. But nevertheless much might be done. No officer should be appointed to the staff simply because there is a place and he is asked for. His fitness for a position so difficult and responsible cannot be presumed, and should be shown clearly by testimony. If the Honorable Secretary has not time to weigh their testimonials others can do it for him. Again, it would be well to insist sternly and inexorably—to adhere to the rule without exception—that the staff officer belongs to the troops; not a mere attendant upon the person of the general. It is important (it is said, though it may be doubted) that there should be perfect accord between the general and his staff, but it is much more important that the relations of the staff to the troops, with and for whom they work, should be properly and permanently established. When a general officer, then, is promoted and assigned to another command, the duty of providing his staff should devolve on the War Department, not on him; and in such a matter he has not a right to be heard more favorably than others. It would then devolve upon the Department to search for a meritorious staff officer to promote, or to appoint, or to assign. Thus, in some sort, too, could be remedied the effect of the rule which throws out of commission an officer who happens, by accident entirely beyond his control, to lose his position; a rule which is utterly destructive of the esprit and efficiency of the staff. The work which my suggestions would create, of keeping "posted" as to the personnel of the staff, of recommending promotions and appointments, of ascertaining qualifications, &c., might properly be performed and easily by the appointment bureau. That it cannot be done by the Secretary himself, and must be done, if we are to have an efficient Army, by some one, are equally clear to me.

Legislation is necessary for the appointment of staff officers, commissaries, and quartermasters, for divisions, corps, and armies. I need not argue the necessity for such a staff. If commissaries and quartermasters are needed for brigades, they are much more necessary for the larger commands; not perhaps to execute, but especially as experts, to inspect and cause these important and vital offices to be properly discharged by their subordinates—duties which cannot adequately be discharged except by experts.

No other suggestions occur to me as pertinent at this moment. Many of these I have made are, I fear, obnoxious to the charge of being (to play upon a word) impertinent. If I have mistaken the license accorded to me by the flattering invitation of the Honorable Secretary, and met it too self-complacently and candidly, I can only crave pardon. In the same spirit, if permissible, I would be glad to make suggestions of reforms in the Department itself, the result of my own experience. I say glad, because I am painfully conscious that the success of the Army depends to an extent almost vital upon the manner in which the affairs and the business of the War Department are conducted. I will of course be understood to refer to system, not to persons.

The manuscript which is here respectfully submitted is the first draft. Time and my continued illness, sometimes very painful, will not allow me to put it in a more becoming form.

I am, sir, with great respect, your obedient servant,

SAML. W. MELTON,
Major and Assistant Adjutant-General.

EXECUTIVE DEPARTMENT,
Milledgeville, November 13, 1863.

His Excellency JEFFERSON DAVIS:

DEAR SIR: I beg leave to lay before you the accompanying communication from Lieutenant-Colonel Lewis in behalf of the Ninth Regiment of State Guards, called out by me under your late requisition for troops for local defense. These troops have now been about two months in service, when there was no enemy upon the soil of Georgia and no raid making its way into her territory. Judging from the past, it is reasonable to infer that without the order of Your Excellency the generals in command will continue to hold them in constant service till the end of the time for which they enlisted. This is a violation of the letter and spirit of the contract by which they entered the service of the Confederacy, and not only does injustice to the troops but seriously injures the agricultural interests of the State, and thereby inflicts a serious loss upon our cause.

The State has furnished promptly at all times her full quota of troops for regular service against the common enemy, and is ready to continue to do it as long as she has a man to spare. But it must not be forgotten that it is impossible to continue to support our armies in the field if our agricultural interests are paralyzed. We must retain a producing class at home to furnish supplies to the Army, or it becomes a mere question of time when we must submit to the enemy on account of our inability longer to support our armies.

The Home Guards are composed of this reserved producing class, and their services in the agricultural fields are absolutely indispensable to the continuance of our troops in the military field. They are willing to do military service for short periods in sudden emergencies, but they cannot leave their homes for regular service without ruin to themselves and their country. Much of their crop of the present year has been and is now being wasted in the field for want of labor to gather and take care of it. Their wheat is not yet sowed, and cannot be unless they have furloughs to go home and attend to it. Thus by continuing them so long from their homes you cause a great waste of the provisions, without which you cannot keep the armies in the field, and you cause the productive lands which they usually cultivate to lie uncultivated for another year. This course if persisted in will soon end the struggle and force our people, exhausted by hunger, to pass under the yoke of bondage.

I beg you to excuse me for this frank avowal of sentiments in which you may not concur. I am aware of the vast responsibility and labor imposed upon you, and know that you cannot give your individual attention to all the details and smaller matters connected with the public interest. In looking to the movements of our large armies, you may not be able at all times to give your attention to the consideration of the agricultural interests, and the nature of the contract

by which smaller bodies of troops are called to the field. You will, I know, excuse me for bringing this matter so often to your attention and earnestly urging action upon it.

These troops were mustered into service by me under your requisition and called into the field by you through me, which commits me with the contract by which they agreed to be bound, and makes it my duty to continue to urge a faithful compliance with it on the part of the Government.

The remarks made in this letter about the Ninth Regiment apply equally to all the other troops called into service, as they were under the same requisition.

I again most respectfully and earnestly claim for them the right to return home and attend to their home interests till another exigency calls for their services. They are now organized, and if they were at the end of each emergency permitted to return home, they would at all times be ready to make prompt response to each call made upon them without serious detriment to the productive interests.

Hoping to receive a favorable response,

I am, very respectfully, your obedient servant,

JOSEPH E. BROWN.

[Indorsement.]

SECRETARY OF WAR:

If the facts bearing on the points made within are not in your possession let General Cobb be called on for report. Your attention is particularly invited to the assertions and arguments referring to the obligations assumed by the Government. I expect it will be found that the policy has been to relieve the men from duty as far as circumstances would permit.

JEFF'N DAVIS.

[Inclosure.]

MILLEDGEVILLE, GA., *November 12, 1863.*

His Excellency JOSEPH E. BROWN,
Governor of Georgia:

DEAR SIR: At a meeting of the commanding officers of the Ninth Regiment State Guards (now stationed at Rome), held on the 9th instant, they unanimously appointed me, as one of their number, to present to you their views and the views of the whole regiment in regard to the impropriety and injustice of their being detained longer in camp under existing circumstances. They present their complaint to you, not because they suppose you have the authority to remove or dismiss them to their homes, or that you are in the least responsible for a violation of the terms of their enlistment, but because you were the agent of the Confederate Government in raising and organizing them and similar troops for the service for which they were designed.

Our regiment and others similarly situated were raised under an act of Congress "for special service and local defense." That act gave the President the power to call out troops for six months for local defense under such terms as he should prescribe. Congress had previously by its legislation divided the adult male population into two great classes, viz, the fighting and the producing classes. The former were found not to be sufficiently numerous to protect the country against raids and sudden and unexpected invasions of the enemy. Accordingly Congress passed the above-named act to guard against these

emergencies. The President prescribed the terms which were presented to the citizens of Georgia in your proclamation of June 22 last. In that proclamation we were informed that we were not expected to enter upon regular military service; that our business at home need not be neglected but for a few days, or weeks at furthest, at any one time; that we were simply to organize and hold ourselves in readiness to meet sudden emergencies. Even the civil officers, whose official business requires their almost constant presence at their offices, were required to enlist and assured that there would be but a short interruption of their regular occupation. Old men were induced to enlist under the idea that they could undergo any hardship and labor required by this peculiar service. Most of our men are farmers, many of them small farmers, whose families are entirely dependent upon their presence at home in seed time and harvest for a support. They know well that unless they could be at home to gather their corn and sow their grain the ensuing year would find their families in want and their friends in the Army suffering for the necessaries of life. But trusting to the good faith of the Confederate Government in the promises it made through you as its agent, they patriotically and promptly volunteered in over double the number called for. In accordance with the contract they repaired to Atlanta when ordered to guard against its sudden invasion, which was said to be threatened by a ruthless and fanatic foe who then polluted Georgia soil with their infernal tread.

Nearly two months ago our gallant army (among whom we are proud to number our sons and brothers) drove the enemy from our noble State, and since that time not a hostile step has been made within our borders. Is it in accordance with the terms of our enlistment that we should have been kept in camp ever since, waiting for something to turn up which could be construed into an emergency requiring us to be called from our homes? If the answer lay within your decision, we doubt not the response. Who is responsible? We make no charges, but respectfully request you, as you were the instrument (innocently, doubtless) in placing us in a situation to be deceived and (as we contend) wronged and injured, to press these considerations upon the proper authorities.

Thus far, you will perceive, we have only been insisting upon the law and our rights as freemen under the contract. This, it seems to us, should be sufficient consideration to influence the proper authorities to set themselves right in the matter. Whenever contracts between individuals are broken at will and no remedy is secured by law, credit is annihilated. Whenever contracts between Government and citizens are disregarded, the confidence of the citizen in his Government is destroyed and his liberty is but a name. Subjugation by our enemy we have never feared, but let us see to it that in our struggle for independence the Constitution and the laws be not hushed into silence, and thereby the liberty of the citizen hopelessly and irretrievably lost. There can be but one view of this question, so far as our rights under the contract are concerned.

But let us glance for a moment at the bad policy exhibited in keeping us thus wrongfully in camp to the neglect of our usual business. The larger portion of these troops are producers of grain and meat. The time for gathering corn and sowing wheat will soon be over. Most of the men left no one at home to attend to these matters, and can get no one competent. The consequence will be that unless they are speedily sent home these great interests (so far as their agency, and

they constitute no mean proportion of the producing class of Georgia, is concerned) will be neglected. Their families must suffer and the Army also from this subtraction from the productions of the State.

Again, volunteering under similar circumstances will be effectually killed off. No man will be willing to volunteer under terms that he can have no adequate assurance will be complied with.

Again, we are in a region which is well-nigh eaten out; so nearly so that the quartermaster of each regiment has had to do his own impressment and could not even then supply his men, a great deal of the time, with more than half rations. We are taking from the citizen what is necessary to feed his family and enable him to make another crop, without any corresponding good to the public service that we can conceive. Many of the citizens in this section are moving to other parts of the State, others are selling out and preparing to remove, simply because they are left without the means of living here, and cannot procure provisions. Shall we remain here simply to add to this distress, or shall we be dismissed to our legitimate occupations in accordance with the terms of our enlistment?

These considerations we respectfully present to your judgment, that you may take such steps as you deem proper. We hope for the honor and interest of the Government that it will give them their due weight and act in such a way as to quiet the fears of the citizens, suppress the rising discontentment of our comrades, and restore the confidence of the men in the good faith of the Government.

All which is respectfully submitted.

Very respectfully,

M. W. LEWIS,
Lieutenant-Colonel Ninth Regiment State Guards,
and representing the whole regiment.

CONFEDERATE STATES OF AMERICA, WAR DEPT.,
ORDNANCE BUREAU,
Richmond, November 15, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: Since the last report rendered from this office the department has been chiefly engaged in the supply of the armies in the field. Very little time has been devoted to scientific researches or experiments. The wants of the armies have been met successfully, and the condition of the department and its ability to meet demands upon it is better than it was a year ago. The period embraced within this report is from September 30, 1862, to September 30, 1863.

IMPORTATIONS.

The Bureau has purchased through its agents abroad under your orders four steamers, the Columbia, R. E. Lee, Merrimac, and Eugenie, and at home the steamer Phantom, which have been industriously engaged in carrying out cotton and bringing in supplies. The particulars of this duty will be detailed to you by Maj. T. L. Bayne, charged specially with the conduct of these steamers and with that of others partially owned by the War Department. Without these important adjuncts, the first of which was purchased by Maj. Caleb Huse at his own instance, this department could not have attained its

present ability to respond to all calls made upon it. They have also materially assisted the operations of the Quartermaster, Medical, and Engineer Departments, Major Huse having, with happy inspiration and acting under the extended instructions of Secretary Walker, assumed the responsibility of making heavy purchases for the Quartermaster and Medical Departments without special orders from the chiefs of those departments. The number of small-arms imported through these steamers from September 30, 1862, to September 30, 1863, is 113,504. Large quantities of saltpeter, lead, cartridges, percussion-caps, flannel and paper for cartridges, leather, hardware, &c., have also been received in them. Three 8-inch rifled and two 12¾-inch rifled Blakely guns have been imported. The weight of the latter, with its carriage complete, is about 55 tons. The weight of its solid shot about 650 pounds and of its shell 470 pounds. A steamer, the Ella and Annie, was engaged in August last to carry a portion of the arms and other supplies lying at Bermuda direct to the coast of Texas. She was driven back to Bermuda when three days out and forced to land her cargo for repairs and was unable to prosecute her trip. Major Huse was directed on the 24th of May last to ship 12,000 infantry and 3,000 or 4,000 cavalry arms, together with necessary supply of ammunition for them, directly to Texas. He has been unable to comply with this order for want of funds, but recent remittances will, I hope, enable him to send the arms and other most necessary stores. I am advised of the landing of one or two ships on the coast of Texas containing stores, but information is not sufficiently definite to state how many arms have been delivered. The chief ordnance officer in the Trans-Mississippi Department has been provided with cotton for purchase of ordnance stores, and has been ordered to act directly under instructions of Lieut. Gen. E. Kirby Smith in procuring them. In the meantime Maj. T. H. Price, late chief ordnance officer of General Price, is engaged in crossing the Mississippi with such supplies as he can under instructions from here.

ARTILLERY.

The supply of field, siege, and sea-coast artillery has been produced with very partial exceptions in the arsenals and workshops of the Confederacy; that of sea-coast guns mainly from the Tredegar Works. The whole number fabricated reaches 113, of which 31 were of the heavier class. The number purchased was 239, of which 46 were large guns. The army is now adequately supplied on this side of the Mississippi River with artillery quite equal to that possessed by the enemy. It will be seen by reference to the summary of operations at the arsenals that 677 pieces have been placed in the field since the 1st of October, 1862, with appropriate supply of carriages, ammunition, harness, &c. The quality of the ammunition has been greatly improved in spite of the increasing obstacles of deficient labor and material. Maj. J. W. Mallet, superintendent of laboratories, has devoted much of his time to this subject, and, assisted by the officers in command of arsenals, has produced marked improvements in the ammunition fabricated. A rigid system of inspection has been introduced which will continue to insure good results at the laboratories.

SMALL-ARMS.

Notwithstanding the heavy losses of arms at Vicksburg, Port Hudson, and at Gettysburg, computed at not less than 75,000 stand, the

supply on hand has been steadily increasing. The armories at Richmond, Fayetteville, and Asheville have produced an aggregate of about 28,000 small-arms within the year. Those produced at private establishments will swell this number to full 35,000 (it may be fairly assumed that this number will be increased to 50,000 during the year ending September 30, 1864). Of these about 30,000 are infantry and 5,000 cavalry arms, including among the latter 3,000 Sharps carbines; the remainder are muzzle-loading of the uniform caliber of .5775, adopted for all muzzle-loading arms, whether for infantry, cavalry, or artillery.

Revolver pistols are fabricated under contract at Macon, Columbus, and Atlanta, Ga.; the number produced is about 500 per month now; this will be increased to 1,000 per month in the course of three or four months.

The supply of sabers produced under contract is abundant, though the style of workmanship admits of great improvement. Steps were early taken to establish another armory on an adequate scale; the site chosen was at Macon, where a plot of ground was given to the Confederate States for the purpose. Good progress has been made with the buildings, and Superintendent James H. Burton has just returned from Europe, where contracts have been made for the necessary machinery. A portion will be delivered in December. Meantime, with the tools and machinery saved from places abandoned to the enemy, work is progressing on such part of the gun-making machinery as can be made in this country. This armory will, when completed, be able to turn out from 1,500 to 2,000 stand per week. A portion of the machinery will be in position by the 1st of July next, if it should fortunately escape capture, and the whole establishment will, I hope, be completed as far as now intended in nine to twelve months thereafter. Only the most necessary buildings are now put up permanently, the construction of store-houses, outhouses, &c., being deferred to better days.

POWDER MILLS AND PERMANENT LABORATORY.

The Government powder mills at Augusta, Ga., have been completed, and have kept up an adequate supply of powder, notwithstanding the vast consumption and loss at Charleston, Vicksburg, and Port Hudson. Full 200,000 pounds of cannon powder alone were lost and consumed at Charleston alone between the 1st of July and 30th of September. The resources required to meet the regular wants of our armies may be judged of when the fabrication of small-arm cartridges at the several arsenals has been 36,531,466 rounds in the year, and 298,305 rounds for field, siege, and heavy artillery have been made and issued. To the energy and good management of the Niter and Mining Bureau have been largely due the supply of saltpeter, lead, iron, and copper needed in our powder mills, laboratories, and foundries. The permanent laboratory, to serve as a guide to other laboratories in war and adequate to all our wants in time of peace, has been pushed toward completion and will next season be ready for partial occupation. It is placed also at Macon and is under the special charge of the superintendent of laboratories, Maj. J. W. Mallet.

ARSENALS, ARMORIES, ETC.

The following are the principal establishments of the Ordnance Department. These employ 5,090 persons, of whom two-thirds are non-conscripts, disabled soldiers, boys, females, and slaves.

Richmond Arsenal, Richmond, Va., Lieut. Col. W. L. Brown; Richmond Armory, Richmond, Va., Superintendent W. S. Downer; harness shops, Clarksville, Va., Superintendent W. S. Downer; Danville Depot, Danville, Va., Capt. E. S. Hutter; Lynchburg Depot, Lynchburg, Va., Capt. G. T. Getty; arsenal and armory, Fayetteville, N. C., Maj. F. L. Childs; foundry, Salisbury, N. C., Capt. A. G. Brenizer; Charleston Arsenal, Charleston, S. C., Maj. J. T. Trezevant; arsenal, foundry, and powder mills, Augusta, Ga., Col. G. W. Rains; Atlanta Arsenal, Atlanta, Ga., Col. M. H. Wright; Macon Arsenal, Macon, Ga., Lieut. Col. R. M. Cuyler; Macon Laboratory, Macon, Ga., Maj. J. W. Mallet; Macon Armory, Macon, Ga., Superintendent J. H. Burton; Montgomery Arsenal, Montgomery, Ala., Maj. C. G. Wagner; Columbus Arsenal, Columbus, Ga., Maj. F. C. Humphreys; Selma Arsenal, Selma, Ala., Lieut. Col. J. L. White.

At the arsenals, armories, workshops, and depots the following are a few of the principal items produced and issued during the year:

	Repaired.	Purchased.	Fabricated.	Issued to the Army.
Heavy artillery	.....	46	31	77
Siege artillery and artillery of reserve	.....	20	3	86
Field artillery	12	173	79	514
Siege and sea-coast carriages	.....	159	91	239
Field carriages, caissons, battery wagons, forges, &c.	567	404	302	934
Cavalry saddles	1,763	30,381	6,866	49,357
Saddle blankets	.....	45,073	2,315	16,625
Artillery harness (2-horse)	373	2,729	2,453	4,221
Horseshoes (pounds)	.....	108,721	120,798	266,951
Horseshoe nails (pounds)	.....	16,700	6,818	18,343
Bridles	600	31,379	4,478	1,180
Halters	162	39,172	16,472	396
Small-arms	127,862	16,246	27,752	145,292
Sabers and swords	3,397	43,559	.....	35,144
Saber-belts	.....	22,155	14,054	30,770
Cartridge-boxes	2,123	126,733	34,666	171,251
Cartridge-box belts	4,046	109,352	61,766	104,443
Waist-belts	2,875	132,671	72,750	178,592
Cap-pouches	1,442	157,402	41,189	185,661
Bayonet-scabbards	1,675	114,858	15,379	167,018
Knapsacks	.....	108,489	27,928	134,100
Haversacks	.....	46,383	226,450	227,020
Canteens	1,278	73,422	85,291	212,270
Siege and sea-coast ammunition	246	174,329	35,335	76,451
Field ammunition	5,638	178,111	262,970	318,297
Small-arms cartridges	940,440	81,750	36,531,466	44,933,907
Friction-primers	.....	16,099	288,526	812,557
McEvoy igniters	.....	78,806	.....	79,846
Percussion-caps (musket)	.....	472,500	46,500,099	55,478,092
Percussion-caps (sporting)	.....	979,750	3,358,300	4,844,850
Powder (loose)	.....	40,175	1,417,882	1,638,298

	Pounds.
Powder consumed in laboratories	1,235,449
Lead consumed in laboratories	1,521,575

A large portion of the purchases, repairs, and some fabrications do not appear on this statement, being done through other agencies than the arsenals. There are no sufficient returns from the Trans-Mississippi Department, and this statement relates exclusively to the operations on this side of the Mississippi. The officers serving as chief ordnance officers with the principal armies in the field—Lieut. Col. B. G. Baldwin and Lieut. Col. H. Oladowski—have, by their untiring energy, succeeded in establishing, against great difficulties, some degree of order within their sphere of duties, despite the loose organization of the Department which materially interfered with the exact performance of duty by inspiring loose notions of responsibility to superiors.

ORGANIZATION.

Congress has by two acts authorized the appointment of 150 officers of artillery for ordnance duties. Under the second of these two acts the appointments were made after examination, and a select body of men obtained. By orders from the War Department no appointments are made of ordnance officers except after due examination. Under the second act alluded to the whole number of officers were distributed into 4 lieutenant-colonels (one to each army in the field), 9 majors (one to each army corps), 65 captains, 40 first lieutenants, and 32 second lieutenants. Besides these provisional officers there are a large number of officers of the Regular Confederate Army on ordnance duty whose rank depends on the position they hold for the time being. The provisional organization is thus permanently distinct from the artillery proper, and it were better this permanent distinction should be incorporated into a law recognizing and organizing an ordnance department. Such a law appears to me necessary to the proper execution of the duties with which this Bureau is charged. It would give character to this body of officers by recognizing it as a distinct branch of the service, the members having promotion as ordnance officers for duty performed as such. I earnestly commend this subject to your consideration. I recommend that the law of April 19, 1862, be so amended as to admit of the appointment of one ordnance sergeant to each division in the field. The division ordnance officer needs such assistance. I beg leave also to recommend that authority be obtained to place officers of the provisional ordnance on temporary rank in the same manner as is allowed in the case of officers of the Regular Confederate Army and in case of officers of the Engineer Corps. (See acts of Congress of May 21, 1861, and September 23, 1862, and December 31, 1861.) Some action seems necessary to insure the return of officers having temporary rank to their original rank when they are detached from the temporary duty for which temporary rank was given. This was doubtless the intention of the law, but I know of no instance in which it has been carried out.

Respectfully submitted.

J. GORGAS,
Colonel, Chief of Ordnance.

State.	Cattle.	Sheep.	Hogs.	Fresh beef.	Salt beef.	Pork.	Bacon.
Virginia	8,607	4,256	.....	.....	.....	3,000	212,141
North Carolina	390	74	66	120,663	29,994	.....	143,600
South Carolina	83	87	.....	8,182	.....	.....	16,766
Georgia	1,122	.....	1,518	98,114	.....	.....	337,437
Alabama	389	.....	.....	116,739	48,498	43,400	72,071
Mississippi	7,992	1,937	3,692	.....	.....	.....	5,059
Total	18,583	6,354	5,276	343,698	78,492	46,400	787,074

RECAPITULATION.

10,000 cattle, averaging 400 pounds per head, 4,000,000 pounds, at one-pound ration	4,000,000
8,583 cattle, averaging 300 pounds per head, 2,561,400 pounds, at one-pound ration	2,561,400
6,354 sheep, averaging 50 pounds per head, 317,700 pounds, at one-pound ration	317,700
Fresh beef, 343,698 pounds, at one-pound ration	343,698
Salt beef, 78,492 pounds, at one-pound ration	78,492
Pork, 46,400 pounds, at one-half pound ration	92,800
Bacon, 787,074 pounds, at one-half pound ration	1,574,148
Total number rations on hand November 15, 1863	8,968,238

[First indorsement.]

BUREAU OF SUBSISTENCE,
Richmond, December 8, 1863.

Respectfully referred to the Commissary-General.

The within statement accurately exhibits the meat ration on hand November 15, 1863, in the States east of the Mississippi, being twenty-five days' supply for 400,000 men. It is again presented with the remark that the meat ration is nearly exhausted in Virginia, the last pound here having been forwarded to General Lee's army, and there is no "reserve depot" to draw upon.

S. B. FRENCH,
Major and Commissary of Subsistence.

[Second indorsement.]

OFFICE COMMISSARY-GENERAL OF SUBSISTENCE,
December 8, 1863.

Respectfully referred to Secretary of War for his information.

L. B. NORTHROP,
Commissary-General of Subsistence.

EXECUTIVE OFFICE,
Columbus, Miss., November 16, 1863.

FELLOW-CITIZENS: It is with no feigned embarrassment that I approach the discharge of the responsible duties to which your too kind partiality has assigned me. In the distressed condition of the State and its people I may well distrust my ability to meet your expectations in the management of our military and civil affairs. Nothing could have induced me to undertake the task but the fullest confidence that my acts will meet with indulgent criticism, and that I shall be sustained by you in all proper measures and efforts in your service. The condition of the State is such as to require the application for a time of all our power and resources. We are invaded north, south, and west by a vindictive foe, who is desolating our borders, burning our dwellings, insulting our people, and inciting our slaves to insurrection. Regiments of the latter have already been embodied and armed to fight against their masters. The evil thus far has been felt only on our borders, but when we contemplate the contingencies of the future, especially the withdrawal from our State of a large portion of the Confederate forces, we shall discover that it is full time for vigorous preparation. Great as has been the draft upon our energies, Mississippi has yet ample resources both in men and means. The militia being properly organized as a supporting force, a few thousand mounted volunteers will be sufficient to protect the State from the raiding incursions of the enemy, while against the invasion of large armies we shall be supported by the arms of the Confederacy. I doubt not that your Legislature at its present session will make provision to meet all possible requirements. We have not lightly entered upon the path we are pursuing, and, conscious of the rectitude of our intentions and the justice of our cause, we have neither motive nor desire to retrace our steps. There may be those who delude themselves with visions of a reconstructed

Union and a restored Constitution. If such there be let them awake from their dreaming. Between the South and the North there is a great gulf fixed. It is a gulf crimsoned with the blood of our sons and brothers, filled with the bitter hatred of our enemies and the memories of our wrongs. It can be passed only with dishonor, and in reconstruction we shall reach the climax of infamy. Humbly submit yourselves to our hated foes, and they will offer you a reconstructed Constitution providing for the confiscation of your property, the immediate emancipation of your slaves, and the elevation of the black race to a position of equality—aye, of superiority, that will make them your masters and rulers. Rather than such base submission, such ruin and dishonor, let the last of our young men die upon the field of battle, and when none are left to wield a blade or uphold our banner, then let our old men, our women, and our children, like the remnant of the heroic Pascagoulas, when their braves were slain, join hands together, march into the sea, and perish beneath its waters. Whenever it may be necessary to call out the forces of the State I shall endeavor to make them efficient for the defense of the people. The day of militia playtime has passed. Such troops as I may be intrusted to command must expect to yield to the stern necessities which are forced upon us and do the duty of soldiers. They must repel raids, not make them. Strict inquiry shall be made as to the justice or injustice of the complaints of some portion of our people as to the alleged disorders of the soldiers, both State and Confederate. It will not be permitted them to insult, plunder, or oppress those whom they are called to protect; and, on the other hand, the honor of the troops requires that they should be vindicated against unjust charges and imputations. To effect this it is necessary that strict discipline should be enforced by the officers, and they themselves held to a rigid accountability. Without this they degenerate into an injurious mob, useless to the State and a disgrace to the service. Without this the disorderly and vicious cannot be discovered and punished, while their infamy is left to stain the names and the memories of their companions. Having commanded Mississippians in two wars, I think I know the character of the gallant men who march in their battalions. I have commanded thousands of them, and have never been compelled to inflict a disgraceful punishment upon a single one. I trust and believe that there are but few who deserve the reproaches which have been cast upon the State troops, and that upon investigation it will be found that the complaints against them are groundless.

There are within our borders no inconsiderable number of men who are now absent from the ranks of your defenders without justification or excuse. To compel them to go to the field of duty, I invoke the voice of an outraged public opinion; I invoke a gentler, higher power—the voice and influence of woman. He is unworthy of her smiles who is not ready to fight and to die in her defense. Although military matters may require much of my time, no other interest of the State shall be neglected.

My earnest attention will be directed to the fostering of such manufactories and the procurement of such supplies of the necessaries of life as may be authorized by law. Our salt-works may not be sufficient for the wants of the people, but they may be made to furnish a larger quantity, and aid to further reduce prices. No effort will be spared to procure cotton and woolen cards and such other articles as may be required for domestic industry, if the Legislature will make

proper appropriations for that purpose. One of the most gratifying indications of the times is the resolute spirit of industry manifested by our women. The spinning wheel is preferred to the harp, and the loom makes a music of loftier patriotism and inspiration than the keys of the piano.

Among the duties I shall be called upon to perform is one which will give me peculiar pleasure, that of superintending the distribution of the funds to be provided for the maintenance of the families of our soldiers. This should not be deemed the granting of a charity, but the payment of a debt, the discharge of a high obligation, and for which I doubt not your Legislature will make ample provision. The wives and children of thousands of our gallant men are left to our care. Let them be adopted as the children of the State. Many of them are now widows and orphans bequeathed to us by those who have shed their blood in our defense. Let the sacred legacy be accepted, and the God of the widow and the fatherless will bless your cause.

Fellow-citizens, for the distinguished honor you have conferred upon me, I offer you my grateful thanks—grateful, because I do not deem myself more worthy than many others. I have imperiled my life in your cause, but this I have done with thousands of my countrymen. I have been less fortunate than those who are yet permitted to bear aloft your banners and carry them onward to victory, and if their efforts should fail and we should be doomed to subjugation, I shall be less fortunate than those who now sleep in honorable but undistinguished graves on the battle-fields of their country. But if we are true to our high purpose we cannot fail. Every effort of the enemy must be resisted with renewed energy, and final victory will crown our banners. Let us exert all the powers that God has given us, and humbly yet confidently trust to His just providence for the result. We are but defending the rights and liberties He has given, and if we faithfully employ the strength and means He has bestowed He will in his own good time secure them to us. But this will not be until we have, through all the trials He may impose, shown ourselves worthy. The prayers of our noble and heroic women may avail much, but deeds are also required of men. The Almighty holds the scales of battle with an even hand, and prayer and supplication alone will not avail. The balance will not preponderate in your favor until you cast in your swords.

CHARLES CLARK.

GENERAL ORDERS, No. 147. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 17, 1863.*

For the due authentication of military orders exhibited in evidence before the judicial tribunals it is hereby declared that the orders of the Adjutant and Inspector General have the force of regulations for the government of all branches of the Army, and that printed or written copies of the same are duly authenticated when indorsed as official by any assistant adjutant-general, or by any chief of a bureau of this Department.

By order:

S. COOPER,
Adjutant and Inspector General.

HDQRS. VOL. AND CONSCRIPT BUREAU, DEPT. NO. 2,
Marietta, Ga., November 17, 1863.

General S. COOPER,
Adjutant and Inspector General:

I transmit herewith a copy of the report of the work of this bureau for the month of October past. From this report it will be seen that 8,811 men were placed in the Army by this bureau in the month of October. The report from Alabama conscript camps (entire conscript branch) and two rendezvous in Alabama have not yet been received, and two rendezvous and two outposts in Mississippi have not been received for the month of October, and are therefore not embraced in the report. The work of these rendezvous and camps would probably add from 1,200 to 1,500 more, which would make the work of the month amount to near or quite 10,000 men. These men have nearly all been armed from the two States of Alabama and Mississippi, in which alone I have any authority to organize the bureau. The report of the month of September was 7,336. This was the first month's work, making between 17,000 and 18,000 men added to the Army in the months of September and October. This work has been done in two States alone, having but a small population left at home. This population will of course soon be exhausted. I think that in these two States there are 10,000 men detailed and exempted. The work of the next month will probably fall off, as the population is diminished and the stragglers restored to the Army. If this organization extended over the other States it is a reasonable calculation to say that it would place 30,000 men in the armies per month. I do not include in the report the thirty companies of cavalry supporting force, principally non-conscripts and exempts, nor the cavalry, about 5,000 men, organized and brought out of West Tennessee.

GID. J. PILLOW,
Brigadier-General, C. S. Army,
Superintendent Volunteer and Conscript Bureau, Dept. No. 2.

I have issued orders prescribing the character of reports to be made from the conscript camps and rendezvous, by which I shall hereafter be able to specify the companies and regiments to which absentees are sent and conscripts assigned.

G. J. P.

[Inclosure.]

Report of Volunteer and Conscript Bureau for month of October, 1863.

Rendezvous.	Commander.	Number of volunteers.	Number of conscripts.	Number of stragglers and absentees.	Deserters.	Total.	Remarks.
Blountsville	Col. B. J. Lea	453	206	791	284	1,734	For September and October.
Selma	Lieutenant-Colonel Echols.	72	27	1,271	75	1,445	
Montgomery	Col. T. W. White	55	14	920	125	1,114	From Sept. 25 to Oct. 11.
Eufaula	Lieutenant-Colonel McDonell.	34	71	19	7	131	
Camden	Major Stone	43	61	.....	.....	104	
Greenville	Lieutenant Barton	17	2	116	5	140	

Report of Volunteer and Conscript Bureau for month of October, 1863—Cont'd.

Rendezvous.	Commander.	Number of volunteers.	Number of conscripts.	Number of stragglers and absentees.	Deserters.	Total.	Remarks.
Mobile	Colonel Miller	.....	67	100	....	167	
Livingston	Lieutenant-Colonel Pennington.	28	.....	64	.....	92	
Grove Hill	Captain McGhee	7	27	6	15	55	
——— ———	Captain Robinson	.....	.....	.....	.....	136	Not stationed, operating in Randolph and adjacent counties.
West Point, Ga	Major Hunt	.....	.....	164	.....	164	Rendezvous in Georgia, but operates in Alabama.
Marion	Captain Steele	.....	.....	8	.....	8	Has but recently obtained the aid necessary to operate successfully.
Camp of Instruction.	Lieutenant-Colonel Lockhart.	.....	159	.....	.....	159	
Aggregate		.....	.....	.....	.....	5,449	
MISSISSIPPI.							
Columbia	Major Cage	.....	.....	.....	.....	.....	No report in October.
Augusta	Major McLemore	6	.....	84	.....	90	But one weekly report in October.
Brandon	Colonel Wilbourn	.....	89	56	6	131	
De Kalb	Major Hale	79	64	477	16	636	
Macon	Captain Gallaher	9	102	52	16	179	Three weekly reports in October.
Columbus	Colonel Morton	43	136	135	.....	392	
Okolona	Colonel Magevney	5	38	127	23	193	
Aberdeen	Colonel Hardcastle	....	26	29	2	57	
Grenada	Lieutenant-Colonel Patrick.	19	16	258	21	314	
Decatur	Captain McLean	.....	23	90	12	125	
Paulding	Major Cox	2	58	5	21	86	Three weekly reports in October.
Camp of Instruction, Enterprise.	Major Merwin	.....	186	.....	.....	186	
Aggregate		.....	.....	.....	.....	2,389	
South Carolina officers.		.....	.....	76	.....	76	No rendezvous in South Carolina.
North Carolina officers.		.....	.....	10	.....	10	No rendezvous in North Carolina.
	Major Phillips	.....	.....	403	.....	403	No rendezvous in Georgia; Major Phillips operates with battalion Georgia cavalry.
Officers 25th, 29th, 30th Georgia Regiments and 1st Battalion Georgia Sharpshooters.		.....	.....	285	.....	285	
Other Georgia officers.		.....	.....	.....	.....	23	
Rome	Major Butler	.....	8	168	.....	176	
Aggregate		.....	.....	.....	.....	887	

RECAPITULATION.

From Alabama	5,449
From Mississippi	2,389
From South Carolina	76
From North Carolina	10
From Georgia	887
Grand total	8,811

MARIETTA, GA., *November 16, 1863.*

This report is in the main the work of the bureau for the month of October. The work of the Montgomery rendezvous lacks about ten days of being for one month. There are no reports from the rendezvous at Newton and Eutaw, Ala., for October, nor from the camps of instruction for the same month. In Mississippi from one rendezvous there are no reports for October; from one there is but one report for same month. From two other rendezvous one weekly report from each is lacking to make complete the work in the State for the month.

GID. J. PILLOW,
Brigadier-General, C. S. Army, Superintendent, &c.

[Indorsement.]

BUREAU OF CONSCRIPTION,
Richmond, November 26, 1863.

The apparent results as indicated by this report exceed the results which would accrue from the conscription organization under General Orders, No. 82, 1862. What force is engaged in procuring these results is not stated. The number of conscripts (635) would probably be attained by General Orders, No. 82. The number of deserters and stragglers in Alabama and Mississippi far exceed that in the States of Georgia, South Carolina, North Carolina, and Virginia.

GENERAL ORDERS, No. 148. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 18, 1863.*

I. The quarterly returns of arms, accouterments and equipments in the hands of troops, required by paragraph 1348 of the Army Regulations, have heretofore been furnished in a very few cases only by commanding officers of regiments and battalions. These returns are deemed essential, and will hereafter be promptly rendered.

II. It is hereby made the duty of generals commanding brigades to see that these returns are made on the 1st of January, April, July, and October of each year, and forwarded through the regular channels to the Chief of Ordnance at Richmond within twenty days after these dates, respectively.

III. Should any officer fail to render the return required on the 1st of January next, within twenty days thereafter the brigadier-general commanding the brigade to which the officer is attached will cause charges for "disobedience of orders," or of "neglect of duty," as the case may require, to be made and forwarded without delay to the general commanding, for his action. The same action will be taken on every subsequent omission to render such returns.

IV. Brigade and district ordnance officers will give every assistance to colonels of regiments and officers commanding battalions in the preparation of the "returns," according to the form prescribed, and they will also see that arms and accouterments lost by the men are duly charged against them on the muster-rolls of their respective companies.

V. The chief ordnance officer of every army and department will promptly report to the chief of the Ordnance Bureau every officer in the command to which he is attached who fails to make the "return" herein required.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 149. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 19, 1863.*

I. The pay and allowances of men detailed for work (except for Government work) will cease during such detail, and in lieu thereof full wages will be paid them by the persons or parties to whom they are ordered to report.

II. The attention of all commanding officers, whose duty it may be to examine the abstracts of issues of commissaries or assistant commissaries of subsistence, is particularly directed to General Orders, No. 12, March 10, 1862. These commanding officers will also see that only the number of enlisted men actually present on duty are included in "provision returns;" and that if any change takes place in that number during the period drawn for that a corresponding allowance is duly made in the next subsequent return, and also that the provisions drawn are well taken care of and economically used.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., November 19, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: Finding that by gradual and accidental accretions the camps of instruction and the force employed in the conscription service were expanding beyond the limitations prescribed by general orders, I have issued the inclosed circular requiring strict adherence to the provisions of the law. The provisions are amply sufficient for the enrolling service.

In view of the propriety of preserving the legal organization, I respectfully suggest that applications for service in the enrolling department be referred to this Bureau in all cases, to ascertain if the officer or soldier be needed.

This is the present practice and is beneficial in its operation.

Very respectfully, your obedient servant,

JNO. S. PRESTON,
Colonel and Superintendent.

[Inclosure.]

CIRCULAR No. —. } CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., November 15, 1863.

The following organization is allowed for camps of instruction. Commandants of conscripts are charged with a strict adherence to its provision. They will complete the organization and be careful in no instance to exceed its allowance of officers except under special permission from this Bureau:

ORGANIZATION FOR CAMPS OF INSTRUCTION.

Commandant of conscripts for the State.
1. Commandant of camp of instruction with the rank of major.
2. Assistant quartermaster, captain.

3. Assistant commissary of subsistence, captain.
4. Surgeon, major.
5. Four drill-masters, first lieutenants, as adjutant and clerks in the office of the commandant of conscripts.
6. Five drill-masters, second lieutenants, as adjutant and clerks in the office of the camp of instruction.
7. Four drill-masters, second lieutenants, in each camp of instruction.
8. One captain to command camp guard.

A camp guard of fifty men may be organized, the drill-masters acting as subaltern officers.

There will be no addition to this force of officers or of guard without the previous approval of this Bureau.

To each Congressional district one enrolling officer with the rank of major or captain and one non-commissioned officer or private, who shall be a disabled soldier. To each county, city, town, district, or parish, one commissioned officer with the rank of first lieutenant and two non-commissioned officers or privates, who shall be disabled soldiers, to act as clerk or assistant.

Commandants of conscripts will report before the 1st of January, 1864, the complete execution of the matter of this circular.

By command of Col. J. S. Preston, superintendent:

C. B. DUFFIELD,
Assistant Adjutant-General.

CIRCULAR }
No. 56. }

BUREAU OF CONSCRIPTION,
Richmond, Va., November 19, 1863.

1. The Secretary of War has directed that standing counsel be employed in each Congressional district to represent the Government in all cases of habeas corpus sued out for the discharge of persons from whom the Government claims military service in which the services of the district attorneys of the Confederate States cannot be had.

2. In compliance with the foregoing directions of the Secretary of War, commandants of conscripts are hereby required to select in their several States suitable persons for the purpose indicated, and to report to this Bureau the names of such persons, their post-offices, Congressional districts, and the terms upon which their services can be obtained.

In view of the number of cases likely to arise, it is believed that the rate of compensation allowed to the Confederate district attorneys will be sufficient to secure the highest professional talent. The district attorneys are allowed $20 in each case in which there is an appearance. When required to leave their homes upon duty they are paid in addition a per diem of $10, and 10 cents for each mile necessarily traveled going and returning. In a very large number of the cases a simple return will end them, and the number requiring arguments will be comparatively small. As soon as a few of the cases have been heard and the court and counsel become familiar with the law and orders governing them, the labors of the counsel will be very much diminished and simplified.

The compensation of the district attorneys is stated for the information of the commandants, and to serve somewhat as a guide in regulating the compensation to be agreed upon. They will, of course,

make the best terms they can for the Government, taking care to select counsel of known ability and fidelity. The arrangement between the commandants and the counsel selected by them will not be considered as perfected until submitted to and approved by the Bureau.

By order of Col. J. S. Preston, superintendent:

C. B. DUFFIELD,
Assistant Adjutant-General.

Report on subsistence.

On the 18th of November, 1862, a report was submitted to the Secretary of War. This report, which embodied a comparative view of commissary supplies and resources, is added at foot of this report.* A statement similar to that, as far as it can be made so from materials in this Bureau, is now submitted, as also some remarks on the present and prospective supply of breadstuffs.

BACON.

Stock on hand October 1:	Pounds.
1862	5,154,366
1863	2,059,716
Deficit	3,094,650

BEEF.

The number of beeves available October 15, 1863, are reported as follows:

In Virginia, Valley of Shenandoah, &c	6,000	
Southwest Virginia, say	4,000	
		10,000
Number on hand October, 1862		8,500
Excess		1,500

In other States the numbers of cattle are as follows:

	Head.
South Carolina	500
Georgia	821
Alabama	1,100
Florida	200
Mississippi	14,000
Total	16,621

About 2,500 of the 14,000 from Mississippi come under the head of State cattle, but are embraced in the returns to the Subsistence Bureau. The stock brought from Florida forms the supply used at Charleston, Savannah, and the coasts of South Carolina and Georgia. The stock reported on hand in Florida by the chief commissary on the 15th October, of 200 head, does not represent the purchases in that State, which are forwarded to Generals Bragg and Beauregard as rapidly as they are collected.

It is impossible to estimate from any data in this office what proportion of bacon may be expected for the coming year—no purchases of hogs have been reported—but it is certain that nothing like the figures of last year can be reached. It was then estimated that 150,000

*See p. 192.

hogs would be obtained from Tennessee. Now the whole of that State has been overrun, and though a portion of it is believed to be recovered, yet that recovery may be temporary, and it is not safe to calculate upon drawing from it a pound of bacon. At the same time it was estimated that 20,000 hogs could be obtained in Virginia and North Carolina. But several facts concur to induce the conclusion that no such number can now be expected from that source; whilst the absence of returns or estimates from Georgia, Alabama, or Mississippi—except a statement from Georgia, of very serious ravages from hog cholera—forbid any regular estimate from them, or anything more than the conjecture that stocks there will be small, and the obtaining of a large portion of them will be precarious from the condition of the country and the want of transportation.

Everywhere there is a comparative, and in many places an actual, scarcity of meat, and in addition to that fact the difficulty of getting it is greatly increased by the derangement of the currency and the consequent reluctance of holders to sell at any price. Under an apprehension of that state of things, Congress at its last session passed what is known as the appraisement act, and this Bureau has been operating under that law ever since it became evident that to pay the prices asked would not only fail to procure supplies but would bankrupt the Government.

The withholding of supplies and the industrious circulation by rumor and through the newspapers of false reports in reference to the execution of the impressment law by this Bureau has produced and will continue to produce an undue impression of the scantiness of supplies. Under this belief all parties who have the means are endeavoring, either singly or by associated effort, to lay up or engage twelve months' supply of provisions. In addition to that class, various organizations charged with the subsistence of soldiers' families have entered or are preparing to enter the market, as are also corporations of cities charged with feeding the poor. All these parties have a right to transcend the prices fixed by the commissioners of appraisement in each State. They do so in all cases, and generally to an amount very much larger than is fixed in the schedules of impressment. Thus corn has been ordered in some cases at $40 per barrel, or double the price fixed by the schedule of impressment, and pork at $160 per hundred, or 166 per cent. more than the impressing price. The effect of such things has been to dissatisfy sellers with the prices fixed by the commissioners of appraisement, large as these are, and to cause a great deal of concealment, evasion, and fraud in the rendering accounts of supplies. It is unnecessary to trace the consequences of the mutual interaction of these things.

What has been said of meats applies equally to breadstuffs. Thus in Lynchburg, where the Government has a large contract for grinding wheat, less than 15,000 bushels have been received. In Petersburg only 48,322 bushels, and in Richmond the mill has stopped grinding for more than a fortnight.

There has been less trouble in engaging supplies within the territory covered by the enemy, or in districts likely to be overrun by them. People are afraid of losing all. But the quantity in such places is either small in amount or there is such deficiency in transportation that comparatively little has been thus obtained.

That supplies have held out so well under these circumstances is attributable to the fact that the field of operations has been so completely covered by the agencies of the Bureau.

Anticipating the approach of this deficit in meat over two years ago, this Bureau recommended a reduction of the regular army ration, which was always more than a soldier needed or under ordinary circumstances could consume, but the recommendation was unheeded until within the last few months. Still later, to wit, last fall and winter, an effort was made to obtain supplies, especially of meat, from without the limits of the Confederacy, whereby prices might fall by the partial withdrawal of this Bureau from the market, and at the same time subsistence might accumulate at home. To this end permission was asked to close with offers to furnish meats in the west and southwest in exchange for cotton. It was thought best not to grant it, but to allow instead contracts of that sort for delivery at our Atlantic ports. Several such were made, and upon terms so liberal as to have insured fulfillment had it been practicable. But so far nothing has been delivered under those contracts, nor is there a probability that anything will be.

Still further to meet this expected scarcity an agent was sent abroad in February last by this Bureau to make arrangements for a supply of meat, and, contemporaneously, Mr. William G. Crenshaw, whom the War Department had sent to Europe as its agent, was also fully instructed as to the wants of this Bureau, with authority and instructions to make purchases and ship them by the line of steamers he was engaged to start between Europe and our ports. The agent first referred to, going to Liverpool, turned over his money to Mr. Crenshaw, who purchased therewith 2,989,944 pounds of bacon. This amount was deemed as large as could be safely purchased in view of the climate in which it was to be stored and the length of time it would have to lie awaiting the completion of vessels to be put upon the line. It was purchased in May last and all of it has not yet come, a fact due to the delay in completing the vessels for want of funds in the hands of the agents. So anxious was this Bureau to aid that enterprise that it advanced $100,000 of its own funds in gold to the construction of steamers or purchase of provisions, as might be deemed best by Mr. Crenshaw, relying upon the cotton that should go forward to repay that expenditure and to make purchases of meats. There have now been sent out by that line and by other vessels 1,369 bales of cotton wherewith to purchase meat, and it is hoped that if the port at Wilmington shall continue open that a continuous supply of meat may be obtained in this way, not enough, however, to meet the wants of our armies.

There are no other sources of supply known to the Bureau. The Department of Trans-Mississippi, which last year furnished a very large supply both of beef and hogs, is now deemed inaccessible, or nearly so, though some of the best officers of the Bureau on both sides of the river have been instructed to make combined efforts to place supplies on this side.

The quantity of sugar used in substitution of meat has also relieved the issues of that article, but the supply is now so nearly exhausted that its use for that purpose has been stopped, and it now is only given to the sick.

This Bureau has therefore to report as its conviction that for the coming twelve months there will not be enough meat in the country for the people and armies of the Confederate States, and as the people can, for the reasons above stated, obtain what there is more readily, and insist upon having it without any regard to the wants

of our soldiers, it is presumed they must bear the brunt of hunger as well as of arms.

Whether or not there is wheat enough in the Confederacy to bread our armies and our whole people is not known to this Bureau, but it believes there is more than enough of corn to make up any deficiency in this respect; that, however, is not found in due proportion in Virginia, but is widely distributed over large and distant areas, and if delivered at all must be hauled from farther south on railroads. But the present railroad transportation is inadequate for the purpose. It is reported by Major Carrington, quartermaster, that he will want for General Lee's army alone 1,500,000 bushels of corn above what he ascertains to be the surplus of Virginia. This Bureau estimates its wants for the same purpose at 250,000 bushels. The single track from Weldon, even if undisturbed by the enemy, cannot transport it in addition to its other necessary carriage. If the railroad were completed from Greensborough to Danville it might be done without difficulty, and the president of the road, who has been asked to give an opinion on the subject, says that the connection can be made in three months' time if the Government will put an adequate force on the road, counting the time from the commencement of work by that force.

This difficulty of transportation has been seen from the beginning of the war, and the Bureau has made constant representations of the fact.

The mismanagement in transportation, whereby an amount of stealing from the cars in transitu, sufficient seriously to affect the quantity delivered at all points depending on railroads, has been constantly felt and almost as constantly represented to the War Department.

Whisky, though not a regular ration, has been desired for issue under circumstances of great exposure and protracted fatigue. Georgia and Alabama were the only States where grain existed in sufficient quantities to justify the diversion of grain from breadstuffs to whisky. The arrangements that were made to that effect in Georgia have been defeated by the laws of the State, and, with the exception of efforts in Alabama, it is deemed proper not to attempt its manufacture elsewhere than in those two States. All the grain thus used in Virginia necessitates the importation of that much more into Virginia, and it is much easier to transport spirits than grain. Indeed, to save both grain and transportation the importation of alcohol, to be diluted with water as a substitute for whisky, has been attempted, but the tonnage has not been sufficient for meat, a difficulty which has also prevented the importation of coffee.

I have heretofore, in an indorsement on a letter of Maj. B. P. Noland, dated November 16, 1863, recommended "that the Secretary of War notify every general commanding a department that his power to accumulate reserves under that provision of the law has passed away; that the exigency for meat is on them, and that they proceed and impress through the agents of this Bureau all meat and cattle in their departments that exceeds three months' supply for citizens, and one-half of all that companies and corporations have gathered, so that privation will fall on those who are under shelter."

Since writing the above reports have been received from Major Sloan, chief commissary for North Carolina, and from Major Dameron, chief commissary in Mississippi. They are both somewhat more encouraging than the accounts given as to North Carolina and the

receipt of beeves across the Mississippi, but they do not alter substantially the general aspect of the report.

L. B. NORTHROP,
Commissary-General of Subsistence.

[NOVEMBER 20, 1863.]

GENERAL ORDERS, No. 150. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 21, 1863.*

I. Enlisted men who have been (or may become) permanently disabled, and who hold a certificate of a medical examining board to that effect, and who have not been discharged the service, may have their rations commuted at $1.25 per diem, whether they are in a hospital, private quarters, or on furlough.

II. Men liable to conscription, who have joined companies for local defense, will be discharged from such companies and conscribed. This order is not intended to affect companies for which special exception has been made by the War Department.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 151. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 23, 1863.*

I. Forage in kind will be issued to officers (entitled to it) stationed, by orders from the War Department, at posts and not in the field, for but one horse each. In lieu of forage $8 a month may be allowed for each horse to which the officer may be entitled. A certificate in each case will be given that the "horses are actually kept in service and mustered."

II. Officers of the Adjutant-General, Quartermaster, Commissary (except purchasing commissaries), Medical, and Ordnance Departments, signal and regimental officers (except commanders of regiments), and subalterns of artillery, who are serving in the field, will be embraced in the provisions of paragraph I of this order, unless otherwise ordered by the commanding general.

By order:

S. COOPER,
Adjutant and Inspector General.

EXECUTIVE CHAMBER,
Tallahassee, November 23, 1863.

FELLOW-CITIZENS OF THE SENATE AND HOUSE OF REPRESENTATIVES:

I have no reason to believe that any appeal has ever been made to the authorities or citizens of the State to supply or aid in supplying subsistence to the armies in the Confederate service, or to sustain the Confederate Government by taxation or otherwise, that has not been promptly responded to. In proportion to her population, resources, and means of transportation, no State has afforded a greater number of gallant men in military service, more grain, beef, sirup, sugar, wool, leather, &c., to maintain the Government than has Florida; nor

has any restraint by State authority been placed on the trade or exchange of commodities for the accommodation of citizens of other States. It is not claimed that Florida has done more than her duty to the Government and to her sister States, but she has performed that duty cheerfully and with the noble spirit which should animate a brave and Christian people. It is possible that in some few instances individuals may not have heeded the calls made upon them—calls made by those whom they did not believe authorized to purchase provisions for the Government—and for this there has been much reason. The press of this and other States, for the protection of credulous and worthy citizens, have made known the most shameless frauds practiced by impostors claiming to be officers or agents in Confederate service.

Now and then it has happened that gentlemen in the Confederate service, as officers—and worthily so—have exceeded their authority from a misapprehension of the orders of superior officers; and now and then it has occurred that general orders have been issued which were not consistent with or justified by any act of Congress, and which orders, having been enforced, proved to be unjust and oppressive.

It affords me much pleasure, however, to inform your honorable body that the President of the Confederate States and the distinguished gentlemen, the heads of the different departments, who compose his Cabinet have consistently acknowledged the right of the States whenever their attention has been invited to interference with them. Nevertheless, in a few instances insurmountable obstacles have prevented a compliance with applications, the justice and propriety of which were not disputed. Nor has Florida any cause to complain of the distinguished officer who commands this military department—for none is entitled to more of her confidence and respect. But the multiplicity of important events of the war, pressing on each other with rapid succession and endangering more important parts of the Confederacy, makes it necessary that Florida should not exclusively depend upon the Confederate authorities for the civil, religious, and political rights of her citizens, and that the State government, whenever at all necessary, should be sufficient in itself to protect the rights of her citizens and shield them from oppression.

As the Executive of the State I feel it my duty to invite your attention to matters of recent occurrence which threaten to result disastrously to the welfare of the citizens and the peace and dignity of the State, if no preventive measures shall be promptly adopted and authority given by suitable legislation to prevent their recurrence.

Within the last few days notices have been served upon many citizens of this and other counties of the State of a like character or similar to the following, viz:

OFFICE DISTRICT COMMISSARY, SECOND DISTRICT,
Tallahassee, Fla., November, 186?.

Mr. G. D. CHAIRES:

SIR: The head of beeves and pounds of bacon which you now have on hand is needed for the use of the armies of the Confederate States. For this purpose I will pay you at the rate of schedule price per ——.

If this price is not satisfactory to you compensation for the property will be made according to the act of Congress passed for the regulation of impressments; and you are hereby notified that in pursuance of the provisions of said act the Government requires you to hold said property subject to my order, and not to remove it until the business be concluded between us in terms of the law in such case made and provided.

This notice is intended to be applied to all bacon and beeves, and any other article of subsistence required for the use of the Army in your possession, giving marks, description of packages, and by whom owned, as in the event of your failure so to do it will become my duty to make the forcible search and seizure authorized by law.

By order of Maj. A. B. Noyes, district commissary:

Very respectfully, your obedient servant,

M. S. ELKIN,
Commissary Agent.

Your attention is particularly called to the phraseology of these extraordinary and illegal notices. There is no legal authority to justify the issue and service of these extraordinary notices. They are incompatible with the rights of the citizens and insulting to freemen who know their rights and have proven their loyalty to the Government established by them for the protection of their rights. Could the ingenuity of man have framed an instrument more directly, absolutely, and completely opposed to the plain, palpable, and simple provisions of the seventh section of the act of Congress regulating impressments? The notice makes no exceptions, makes no reservations; all is to be held subject to the order of the military dictator, and on refusal the party is to be subjected to a "forcible search and seizure," authorized by no law, justified by no necessity, and which should be resisted at every and any sacrifice—even that of life itself.

The seventh section of the act of Congress regulating impressments is in these words, viz:

> The property necessary for the support of the owner and his family, and to carry on his ordinary agricultural and mechanical business, to be ascertained by the appraisers, to be appointed as provided in the first section of this act, under oath, shall not be taken or impressed for the public use; and when the impressing officer and the owner cannot agree as to the quantity of property necessary, as aforesaid, then the decision of the said appraisers shall be binding on the officer and all other persons.

Can anything be plainer? Can language be more simple, more explicit? "The property necessary for the support of the owner and his family," &c., "shall not be taken or impressed for the public use," says the act of Congress. "All bacon and beeves and other articles of subsistence required for the use of the Army in your possession," says the notice.

In the Quincy Dispatch of the 21st instant the following appears:

CIRCULAR.] HEADQUARTERS DEPARTMENT OF WEST FLORIDA,
Quincy, November 20, 1863.

Commanders of posts are hereby instructed to give all the aid in their power to the commissaries and their agents throughout this district in the impressment of subsistence stores. They will grant such details as may be required by the commissaries or their agents in the procuring of subsistence, and will furnish a guard whenever necessary to protect any subsistence stores which may be seized for use of the Government. They will instruct their commands accordingly.

By command of Brigadier-General Gardner:

S. S. CARLISLE,
Acting Assistant Adjutant-General.

Is there any law which authorizes an officer in the Commissary Department to employ a civil officer of the State, or to use a private citizen, in making impressments? Or is there any good reason why a citizen liable to conscription, who would be willing to be such an agent, should not be mustered into the military service of the Confederate States and placed in the ranks with a musket at his shoulder? Why should any citizen be clothed with military authority which

would enable him to intrude himself into the sacred precincts of the family circle, and when reproved or repulsed for his intrusion, then, with an armed force at his back, to return and make unlawful searches and seizures?

Is there any act of Congress which can justify such extraordinary measures? Has Congress the constitutional right to authorize such proceedings? If nay, is it then to be considered as a right incidental to the military power of a Government, designed for the protection of civil liberty by the guarantees of a Constitution regarded as a compact between free, sovereign, and independent States?

Congress cannot rightfully exercise any power not granted by the Constitution; nor should any department of the Government be permitted to do so, without respectful complaint and, if need be, determined resistance. The Constitution should be respected and uncompromisingly maintained as the ark of our political and the palladium of our religious, civil, and personal liberties.

It is painful to me to believe, and to express the opinion, that there exists a necessity for the interposition of State authority to protect the rights, lives, and liberty of the citizens against the military orders of Confederate officers for whom personally I entertain the kindest feelings and utmost respect. But I would be recreant to the high trust confided to me by the citizens of Florida if I were to hesitate a moment in the defense of their rights, when I believe them in jeopardy.

Where is the propriety of any legislation on the part of your honorable body to provide for the support of the families of your brave fellow-citizens, who, while in arms to defend your rights, have intrusted their wives, children, and aged mothers to the care and protection of the authorities of the State, and of you, their fellow-citizens, if you shall permit an order to be enforced which deprives them of the only means of support, when by suitable legislation it may and should be prevented? If the order shall be enforced upon the notices given, how can the families of the soldiers—how can unfortunate citizens driven from their homes, and dependent upon your hospitality—how can citizens not engaged in agricultural pursuits or in military service—be saved from starvation? Shall the planters of Florida "crook the pregnant hinges of the knee" to the military authorities for the humble privilege of saving, by the fruits of their own industry, the families of the soldiers and their unfortunate fellow-citizens from starvation?

May God forbid that any citizen of Florida who commands the respect and confidence of his fellow-citizens should be so lost to the genial influences of patriotism and Christianity as ever to hesitate a moment to offer his last cent, and with it, if need be, his life, to sustain the Confederate authorities in appropriate efforts to supply the wants of the noble armies now struggling to achieve the independence of the Confederate States, and thus, by the only means, save the people from subjugation, utter ruin, and final disgrace, or hesitate a moment to divide his last grain of corn or ounce of meat with the soldier's family, or any patriotic citizen driven penniless from home by the enemy! And may He also, in the exercise of infinite mercy, forbid that any citizen of Florida should ever be so base and cowardly as to yield willingly to any Government, or to any usurpation of power, the means of depriving him, *vi et armis*, of the most sacred rights guaranteed by the Constitution and intrusted to worthy descendants of the "sires of the American Revolution," rather than to meet death without fear in their vindication.

I have unlimited confidence in the wisdom and integrity of the Confederate Government when justly administered; but at the same time can only be sensible of its appropriate influence in the maintenance of the sovereignty of the States. Better that Florida should be a waste of flowers, enriched with the blood of her brave citizens, than to be inhabited by them as slaves or willing to be slaves.

I recommend to your honorable body to enact promptly a law which will protect the rights of the citizens, and punish severely any person who may illegally interfere with them.

I have the honor to be, respectfully,

JOHN MILTON,
Governor of Florida.

[NOVEMBER 23, 1863.—For Clark to Johnston, in relation to the transfer of State troops of Mississippi to Confederate service, see Series I, Vol. XXXI, Part III, p. 745.]

EXECUTIVE OFFICE,
Columbus, November 23, 1863.

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES:

I desire to call your attention to the condition of the State troops and ask your early action. In the message of my predecessor, at the commencement of your session, he informs you that there are now in the possession of the State forces, horses, &c., to the amount of $224,910.50, and that by an understanding with the President and General Johnston the whole cavalry force is to be turned over to the Confederate service, the Confederate Government agreeing to pay for the use and risk of the State horses during their term of service, and also to pay the value when any such horse or horses shall be killed or captured by the enemy; "and further, that this arrangement is subject to any disposition which the Legislature may deem proper to make in the premises." As the whole matter has thus, according to the agreement, been submitted for your action, I have deemed it improper for me to permit the troops and property to be transferred until your will was consulted. An order having been issued to Colonel McGuirk to complete his regiment by taking into it any unattached company in the northwestern portion of the State, and to have his regiment ready to be mustered into the Confederate service by the inspecting officer of General Johnston, I have suspended the execution of that order. Lieutenant-Colonel Perrin informs me that he has reorganized his battalion and has now eight companies ready, and asks an order to transfer them. He says that the term of service of all the companies except two of his battalion has expired, but that there are a number (stated at sixty) of the State horses in the possession of his men, and asks that they may be permitted to retain them upon their giving bonds for the payment to the State of the amount of the actual cost in each case, minus the amount of per diem already received for the use and risk of the horses in the past service. I have in this case also declined to give such order unless directed by you to do so. Others of the State troops have also been ordered to be transferred to the Confederacy, but the whole matter is suspended for your decision. They are all now in active service in the northern part of the State, except Lieutenant-Colonel Perrin's battalion, which is awaiting orders at Macon. Some of the State troops desire to remain in the State service, but Colonel

Perrin informs me that all of his battalion desire to be transferred. The whole matter is with you, and I await your action. I earnestly request your early attention to it, and that you will, by resolution or otherwise, remove the obstacles thus presented to an efficient organization of our cavalry force.

I concur in the opinion expressed by my immediate predecessor that a large force of this character is necessary to our defense. It is not to be expected that the Confederate troops will be so disposed as to give protection to all portions of this State. They will occupy certain lines and move for the defense of certain points as exigency may require. I do not for a moment suppose that it is the intention of the Legislature to leave a large portion of our people exposed to the tender mercies of their unscrupulous and vindictive foes. No inconsiderable part of the State is now subject to their raids. They come with the sword in one hand and the firebrand in the other. It is but a few days since a messenger informed me that a band of these marauders, landing in the county of Bolivar, were devastating the country for miles in the interior, and the houseless women and children were fleeing before them lighted by the fires of their blazing dwellings. Shall these things be unavenged? Let there be no delay. A few weeks more and you may see your own roofs in flames and your families fugitives or crouching at the feet of an insulting foe. The people look to us for protection. I earnestly recommend such changes in our military laws and such appropriation of money as may be necessary to enable me to bring into the field and maintain a force of cavalry and artillery of 3,000 men, and also to reorganize the militia that they may be called out without delay. It is not expected that the latter will be often needed, but they should be ready as a supporting force. The very fact that they are held in a state of readiness will of itself add strength to our movements. Other States better guarded by the Confederacy than ours keep their separate armies in the field. Georgia has now an army of about 8,000, and her patriotic Governor recommends that it be increased. The Legislature of South Carolina has been convened to provide for State defense. Other States have their forces. There is no one that needs them more than Mississippi.

I respectfully recommend an extension of the period of liability to military duty; that there be few exemptions. Those having substitutes in the Confederate Army are liable to State service, but to remove all doubt let them be rendered liable by express statutes. To enable the commander-in-chief to bring the troops to proper discipline and service, give him the power to order and detail courts-martial in all cases, and courts of inquiry for the investigation of the conduct of all officers and to remove them from office. Give him such inspectors as may enable him to have knowledge of the condition and discipline of the troops. All surgeons and quartermasters should be appointed by and accountable to him. So of all other staff officers, except the personal staff of the general officers. I believe one general officer will be sufficient. Provide for promotion by appointment even from the ranks for meritorious conduct. This may be constitutionally done in the volunteer forces, for by volunteering under the law they waive all supposed right to elect officers, except the law furnish it. The right to elect officers in other cases may be safely given to the volunteers, the power of removal for incompetency and inefficiency being retained.

Provision for a draft from the militia, in case a sufficient number of volunteers should not offer, should be made, so that they may be brought out without delay. Surrender these and such other powers as you may see proper in your wisdom to confer, with all necessary restrictions to prevent any abuse of them. Against any abuses of power by myself or my permission of it in others, I can only offer you the guarantee of my humble history in the service.

I have the honor to transmit to you an address* of a committee of the House of Delegates of Virginia "inviting an interchange of views with the respective States of the Confederacy upon the subject of our general currency." I recommend it to your serious attention. I also send you a communication* from the Rev. C. K. Marshall, hospital agent, recommending the establishment of a soldiers' home and an appropriation for that purpose. The object is a noble one and worthy of its philanthropic and Christian author. I recommend it to your favorable consideration.

CHAS. CLARK,
Governor.

MANSFIELD, NEAR GEORGETOWN, S. C.,
November 23, 1863.

Hon. WILLIAM P. MILES:

DEAR SIR: In the discharge of the duties of my office the past two years, embracing a wide and extended jurisdiction over the slaves and free persons of color within this district, my attention has been repeatedly called to an anomalous state of things that exists among us throughout the whole Confederacy. I ask leave to bring it to your notice, that if you should deem the matter worthy of consideration, you may submit it before the committee of which you are the chairman. It is this—that whilst our entire white male population between the ages of eighteen and forty-five are in the service of the Confederacy, and those of other ages occasionally are liable to military duty, and whilst our slaves are busily engaged in the pursuits of agriculture and in working upon the fortifications, there is yet a class among us which enjoys singular privileges and immunities and is, with limited exceptions, not held liable to public duty, to wit, the free colored population. Not only does this class pursue its usual avocations but with a greatly enlarged sphere for the employment of its industry in consequence of the withdrawal from many occupations of the white men of our country. The free man of color thus enjoys the increased profits of his business and makes money, whilst the white man does the hard work of the day at the risk of health and life, with a very poor moneyed compensation and away from home and family. The more I reflect upon this subject the more glaring does its inequality and injustice appear to me. And I have thought that it would prove an eminently wise and wholesome policy to place the free persons of color, say between the ages of sixteen and fifty, to do the menial and much of the mechanical service of the Army for the war, and at a moderate rate of wages. They might be employed as teamsters, hostlers, musicians, hospital stewards, attendants and nurses, caterers and cooks, shoemakers and cobblers, and generally as assistant artificers. As matters now are, large numbers of men are detailed from the ranks to fill these offices, the duties appertaining to which

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*Omitted.

might be as well and faithfully discharged by the class alluded to, thus gaining to the ranks many thousands of able-bodied soldiers. The ties of home, of family, and of property will prove a sufficient guaranty for the usefulness and fidelity of this class if thus employed.

Having bestowed much time and thought upon the subject, I submit with much deference the views above expressed.

I am, dear sir, very respectfully, yours,

FRANCIS S. PARKER,
Provost-Marshal of Georgetown District, South Carolina.

CONFEDERATE STATES OF AMERICA, TREASURY DEPT.,
Richmond, November 24, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: I have the honor to inclose herewith for your information extracts from dispatches Nos. 8, 9, and 10 to this Department from General C. J. McRae, depositary of the Treasury at Paris.

Very respectfully, your obedient servant,

C. G. MEMMINGER,
Secretary of the Treasury.

[First indorsement.]

SECRETARY OF WAR:

These papers contain more particular information respecting certain disadvantageous contracts made in the Trans-Mississippi Department referred to in Mr. Hotze's dispatches, of which extracts were forwarded by the Honorable Secretary of State to this office on the 23d instant.

[J. A. CAMPBELL,
Assistant Secretary of War.]

[Second indorsement.]

NOVEMBER 29, 1863.

Ordnance Bureau for notice; then return.

J. A. S.,
Secretary.

[Third indorsement.]

DECEMBER 4, 1863.

Respectfully returned to the Secretary of War.

I agree generally with what Mr. McRae says in regard to foreign contracts. The present arrangement for shipment of cotton on public and private vessels works admirably, but is limited. I would recommend the purchase of additional vessels and larger shipments, but do not agree with Mr. McRae at present that private shippers should be excluded. If the Government's supply of ships were larger the question might then be considered. The sale of the 8 per cent. bonds at prices stated would be advantageous.

J. GORGAS,
Colonel and Chief of Ordnance.

[Inclosure No. 1.]

DISPATCH No. 8. } 6 AVENUE MATIGNON, PARIS, *October 2, 1863.*

Hon. C. G. MEMMINGER,
Secretary of the Treasury, Richmond:

* * * * * * *

Since the statements which accompany the dispatch were made up I have paid Captain Bulloch 141,333 francs, and there is not now to the credit of the loan more than 7,000,000 francs, not enough by 4,000,000 francs to meet Captain Bulloch's engagements. Up to this time I have employed but one clerk, Mr. Charles Walsh, jr. The condition of the loan was such that I did not think it advisable to trust the knowledge of its condition to any except those in whom we could put implicit trust. I will, however, now open a set of books as depositor, and endeavor to keep the accounts in such a way as will bring them within the forms of the Treasury Department. This can be easily done if you will cause the necessary warrants to be drawn on me for the disbursements heretofore made and for Captain Bulloch's contracts. The inclosed statements will furnish the necessary information for this purpose. With dispatch No. 4, of the 24th of July, I inclosed a statement showing that I had taken up and held as agent for the loan $680,000 of the cotton warrants issued by Captain Maury and Mr. Mason; also cotton warrants issued by Major Huse for 5,000,000 pounds of cotton, and $4,000,000 of the 8 per cent. Confederate bonds. These securities are still in hand, and I have fully advised you as to what I thought to be the best course to be pursued with them, as well as all similar securities which the Government has in Europe. There is still £704,000 of the bonds of the Erlanger loan to be disposed of, and unless something can be done to raise the credit of the Government they are likely to remain on hand for some time. In order to improve the stock of the loan and to facilitate the negotiation of these £704,000, Messrs. Erlanger & Co., Messrs. Schroeder & Co., and H. O. Brewer, esq., are about starting a line of small steamers to run from Havana to Mobile in order to bring out cotton under the loan. The first of these boats will leave Liverpool in about ten days, and will take out the certificates of the deposit of stock with Mr. Slidell (Mr. Mason having left London), which they will present to your agent for the cotton loan at Mobile. I have said to these gentlemen that I had no doubt but that the Government would give every facility for getting out cotton under the loan, and I respectfully suggest that you instruct the agent of the cotton loan to give the parties orders for the cotton on presentation of the certificates, the form of which I sent you in dispatch No. 4, of the 24th of July.

When the steamers of this company reach Havana they will offer them to the agent of the Government, as their object is not to speculate on goods taken into the country, but to get out cotton under the loan. Whilst every facility for getting out cotton under the loan, as provided for in this contract, should be given to the bondholders, not another bale should be allowed to come out, not a pound of goods go in, except on Government account. If this plan were adopted it would have the most beneficial effect on the credit of the Government, both at home and abroad. The Treasury notes have been as much depreciated by the speculators who are running the blockade, both

over the border and through the ports, as by the overissue, and our credit abroad has been destroyed by the multiplicity of agents and contractors and partners of the Government who have no credit except what they derive from the connection with the Government and the use of its cotton, out of which they are making immense fortunes, while the Government pays four and five times the value of the goods bought with its own credit and means. One competent agent in Europe, with the control of all the cotton that leaves the Confederacy, would have no difficulty in getting all the money that is wanted abroad, and if speculators were deprived of the means of buying gold and exchange at whatever price is asked, the domestic currency would soon improve. At present it would be useless to put another loan on the market. No money can be had here except on cotton, and the Government ought to take the export of the article exclusively into its own hands.

As requested in your private dispatch, I will go over to England and see Mr. Spence in reference to the charges made against him by Mr. Erlanger in his letter of the 4th of June. This is a very unpleasant business, and I would much rather that you would have selected some other person to attend to it. It is particularly disagreeable to me, as I fear Mr. Spence thinks I desire to supersede him as the financial agent of the Government. I will, however, endeavor to manage it with as much delicacy as possible. Mr. Mason arrived here yesterday from London and Mr. Slidell from Biarritz. Colonel Lamar is also here, and I will advise with them as to the best course to pursue.

With much respect, your obedient servant,

C. J. McRAE,
Agent for the Loan.

[Sub-inclosure.]

Total debts and engagements.

Captain Bulloch, £488,000, less £31,000 in the hands of Mr. Spence	£457,000
Major Huse	167,000
Captain Maury	83,000
Captain North	174,000
Captain Sinclair	10,000
Captain Crenshaw	115,000
Civil list	10,000
	1,016,000

Previously paid.

Isaac, Campbell & Co	a£515,000	
Government	60,000	
		575,000
Through Mr. Mason:		
Captain Crenshaw	55,000	
Captain North	26,000	
Captain Maury	38,000	
Captain Bulloch or Spence	31,000	
		150,000
		1,741,000

a Of this account £150,000 has been paid in cash, and £40,000 is to be paid in September. The balance of the account will be paid in bonds full paid at the issue price.

Payments that must be made in June.

To Capt. J. D. Bulloch, for first installment on four corvettes, as per contract with Mr. Armat	£58,000
To Capt. J. H. North, for iron-clad building on the Clyde, which must be abandoned unless relief is immediately had	30,000
To pay draft of Col. J. Gorgas on Major Huse, now in the hands of A. Collie & Co	22,500
To Capt. M. F. Maury, for first installment on iron-clad contracted with Mr. Armat	10,000
	120,500
Capt. J. D. Bulloch will require to carry out his engagements before the July installment	60,000
Capt. M. F. Maury, for second installment on iron-clad contracted for with Mr. Armat	10,000
	190,500

[Inclosure No. 2.]

DISPATCH } 6 AVENUE MATIGNON, PARIS,
No. 9. } *October 7, 1863.*

Hon. C. G. MEMMINGER,
Secretary of the Treasury, Richmond:

SIR: I beg to refer you to my dispatch of the 2d instant, duplicate of which you will find inclosed.* In reply to the inquiry in your autograph letter of the 21st (or 28th) of July, "What form of negotiation or mode of offering cotton will now most readily raise money?" I now respectfully submit the following statement, with a plan by which, if adopted, I think all the money required abroad can be obtained without the necessity of any further foreign loan. In previous dispatches I have endeavored to point out to you the damage the credit of the Government was sustaining by the multiplicity of agents, contractors, and partners which it has in Europe, none of whom have any credit except what they derive from their connection with the Government and the use of the cotton or other means out of which they are making enormous profits, while the country is badly served. To illustrate this, I inclose copy of a contract (synopsis of this contract and invoice was furnished me by the Hon. John Slidell, who had the original, but did not retain the full names of the parties), marked A, made by Colonel Haynes, the assistant commissary-general of the Trans-Mississippi Department, with a Mr. Chiles, of Missouri, and approved by ——— ———, aide-de-camp of Lieut. Gen. E. Kirby Smith. It is quite evident from the quality of the cotton stipulated to be delivered, and the want of relative or proportionate value in the price of the goods, that neither of the parties had any knowledge of what they were doing. Being at this time engaged in the examination of the accounts of Major Huse, the chief agent and disbursing officer of the War Department in Europe, I am enabled to compare the prices agreed to be paid in this contract with those paid by Major Huse to Isaac, Campbell & Co. for similar articles, and find that under this contract the Government agrees to give $1,836,000 for a bill of goods delivered in Matamoras, the London cost of which, even under the adverse circumstances under which Major Huse purchased, was only $650,880, and is to pay in 9,180,000 pounds of "middling fair" cotton, which if shipped direct to Liverpool and sold on Government account would net the enormous sum of $4,590,000, as such cotton is now worth 60 cents per pound in Liverpool, and 10 cents per pound would more than pay the expense of shipping, freight,

*For extract see p. 980.

and selling. In other words, the Government pays an irresponsible contractor $4,590,000 for insuring $650,880 worth of goods from London to Matamoras, both neutral ports and none of the goods contraband.

This is not the only contract of this sort that has come within my knowledge. (Information in reference to this contract was furnished me by Maj. Caleb Huse.) Mr. Nelson Clements has one of a somewhat different character, but equally monstrous. The principle of his contract is that he is to be paid 100 per cent. on his invoice; consequently his ingenuity has been greatly exercised in devising means to increase the amount of the invoices. There are many other contracts of various shades and hues floating about the London markets, all, however, having but one object, namely, to enrich contractors at the expense of the Government. As before stated, these men, having neither capital nor credit, begin by hawking their contracts through the London, Manchester, and Liverpool markets and sell them to or divide them with the highest bidder. Such exhibitions are very damaging to our credit, as they create the impression among capitalists and all prudent men that a government which is so reckless of its means is not likely to achieve its independence against such fearful odds. To remedy these evils and re-establish the credit of the Government I respectfully suggest the following plan:

First. To revoke or annul all contracts in Europe in which profits or commissions are allowed, whether they be with agents, contractors, or partners.

Second. That there should be one contracting or purchasing officer each for the War and Navy Departments in Europe. If necessary, they might have assistants, but there should be but one head for each Department, and he should be a commissioned officer, receiving pay as such.

Third. That there should be one general agent for Europe, who should have the entire control of the credit of the Government abroad, with large discretionary powers for raising money, and to whom the contracting and purchasing officers in Europe should report before making any engagements to pay money or commit the credit of the Government, which should not be done without the consent of the general agent. The same agent should have control of all cotton or other produce sent abroad for sale on account of the Government.

Fourth. That the Government should take the exports and imports into its own hands, and no cotton, tobacco, or naval stores should be allowed to leave the country except on Government account or for account of holders of produce bonds, and none but the same parties should be allowed to import, the Government taking the importations of the bondholders on delivery at the Confederate ports, at a price fixed on between them and the agent in Europe, to be paid for at the port of delivery in cotton. If this could not be satisfactorily arranged, then the bondholders should be compelled to take in freight for the Government at a reasonable rate, say at about £8 per ton of 2,240 pounds dead weight, or 40 cubic feet light goods.

Fifth. To purchase or take possession of all the cotton and tobacco in the country at a price to be fixed by act of Congress. This would not only be a wise but a popular measure, as it is not the producers of cotton who are benefited by the present system. Planters would much rather the Government should have the benefit of the speculation on their produce than the speculators and extortioners, who are now growing immensely rich on their necessities by the very means they and the Government furnish.

So long as there was any probability that England and France would consider the present blockade as inefficient, it would protect the property of their subjects in the Confederate States from the enemy, the two last measures (Nos. 4 and 5) would have been impolitic. It is now certain that we shall receive no assistance, either material or moral, from abroad, and we must rely wholly on ourselves, and these measures will greatly strengthen the Government and will not injure our people, nor injure us with foreign governments, whose policy in reference to us has already been determined on. To carry out the plan the general European agent should be located in London or Paris, with an office at Liverpool or Havre, to receive the cotton and other produce and attend to the shipping of goods. There should also be agents at Wilmington, Charleston, Mobile, and Matamoras, and possibly at one or two other points in the Confederate States; also at Havana, Nassau, and Bermuda, all under the control of the bureau organized at Richmond auxiliary and subsidiary to the Treasury Department. The agents at Wilmington, Charleston, Mobile, and Matamoras, and such other points in the Confederacy as might be selected, would sell such goods as the Government did not need for its own use to wholesale dealers at cost and charges, prohibiting them from charging more than 10 per cent. to 20 per cent. profit. In this way the country would be much better supplied with articles of necessity (the Government should allow no other to be imported) and at a much less cost than by the speculators and extortioners who now have this matter in their hands. As a general rule, no contract should be made except by the heads of Departments or bureaus at Richmond. When the exigencies of the service require a departure from this rule, which might be the case in the Trans-Mississippi Department, the orders for all such supplies and materials as are wanted from abroad should be sent through the local agents to the purchasing officers in Europe, who should immediately on receipt of such orders furnish the general agent with a copy, so that he might provide the means of paying for the same. None of the agents should be allowed commissions or profits, but competent salaries and the expenses of their offices, for which they should keep proper vouchers, to be passed on by the regular auditing officer of the Government in the same manner as the accounts of other bureaus are passed.

That the Government can successfully run the blockade is conclusively proved by the experiment of Maj. Caleb Huse, of the Ordnance Department, who put on four boats between Wilmington and Bermuda in February and March last with funds obtained mainly on the credit of cotton the boats were to bring out, which boats made twenty-two successful trips by the 1st of August and without a single loss.

If the foregoing suggestions are adopted our credit will soon be high in Europe, and we shall have no difficulty in getting the means to build as many war vessels as may be desired, or of buying all that is wanted from abroad at the lowest cash prices; and as there would no longer be any speculators or extortioners to buy gold and exchange, with the enormous profits made by running the blockade, our domestic currency, not being depreciated by a comparison with foreign standards of value, would soon improve so as to answer all the purposes of internal trade. Besides, as soon as it was known in Europe that the Government had control of all the cotton in the Confederacy, or at least of all that is exported, there would be no difficulty in making another loan on favorable terms. But a foreign loan would be

unnecessary, as the Government would have ample means from the proceeds of the cotton to supply itself with everything wanted from abroad; and with a good tax bill and a proper funding system the Treasury notes would furnish a good domestic currency.

In proof that I have not overrated the resources which the control of all the cotton that leaves the Confederacy would give the Government, I have a statement of the Liverpool cotton market before me showing that the receipts of American cotton at that port since the 1st of January last have been, in round numbers, 100,000 bales, worth on the average $200 per bale, or $20,000,000, double as much as the Erlanger loan will net (if all sold), which will require 260,000 bales of cotton—equal to a loss of 160,000 bales of cotton, or $32,000,000, even admitting that every other cargo was captured.

I send this dispatch by Colonel Lamar, to whom I have communicated its contents. He has been kind enough to say that he will explain any part of it that may not be fully understood.

With much respect, your obedient servant,

C. J. McRAE,
Agent for the Loan.

[Sub-inclosure.]

A.

Prices agreed to be paid to ——— Chiles by contract made with him by Colonel Haynes, assistant commissary-general of Trans-Mississippi Department, and approved by ——— ———, aide-de-camp of Lieut. Gen. E. Kirby Smith, for the following invoice, to be paid in "middling fair" cotton at 20 cents per pound delivered in Matamoras, goods to be delivered at same place:

30,000 rapiers, at $2.50	$75,000
30,000 jackets, at $8	240,000
30,000 pants, at $5.50	165,000
30,000 greatcoats, at $20	600,000
60,000 shirts, at $3	180,000
60,000 drawers, at $3	180,000
60,000 socks, at 50 cents	30,000
30,000 shoes, at $4	120,000
30,000 blankets, at $5	150,000
10,000 yards cadet cloth, at $6	60,000
4,000 yards light-blue French, at $6	24,000
2,000 yards dark-blue French, at $6	12,000
	1,836,000
9,180,000 pounds cotton, at 20 cents per pound	1,836,000
Cost of same goods if bought by Major Huse of S. Isaac, Campbell & Co.	650,880
Balance	1,185,120

It thus appears that if "middling fair" cotton is worth only 20 cents per pound at Matamoras, the Government pays $1,836,000 to contractors for delivering $650,880 of merchandise at Matamoras, or a net profit of $1,185,120.

9,180,000 pounds cotton, at 60 cents per pound, present value in Liverpool	$5,508,000
Less expense of shipping, freight, selling, &c., 10 cents per pound	918,000
Net proceeds if shipped by Confederate Government agent through to Liverpool	4,590,000

Prices paid for similar articles purchased by Major Huse from Messrs. S. Isaac, Campbell & Co.

30,000 rapiers, at 84 cents	$25,000
30,000 jackets, *a* at $3.30	99,000
30,000 pants, at $2.96	88,000
30,000 greatcoats, at $7	210,000
60,000 shirts, at 52 cents	31,200
60,000 drawers, *a* at 62 cents	37,200
60,000 socks, at 26 cents	15,600
30,000 shoes, at $2.14	64,200
30,000 blankets, at $1.80	54,000
10,000 yards gray cloth, at $1.56	15,600
4,000 yards blue cloth, at $1.68	6,720
2,000 yards blue cloth, at $1.68	3,360
	650,880

[Inclosure No. 3.]

DISPATCH No. 10.

BURLINGTON HOTEL, LONDON, *October 24, 1863.*

Hon. C. G. MEMMINGER,
Secretary of the Treasury, Richmond, Va.:

SIR: On the 7th instant I wrote you submitting a plan for obtaining and disbursing all the money that might be wanted abroad, and sent the dispatch by Col. L. Q. C. Lamar, who was kind enough to say he would more fully explain the plan proposed and advocate its adoption. Inclosed you will find duplicate.* I hope you will not consider that I desire to obtrude my opinions upon you as to the financial policy of the Government, and I would not have submitted this plan had it not been for the inquiry in your letter of the 28th of July. Nevertheless, I respectfully ask for it your favorable consideration, as I am sure all the money required abroad can be obtained in this manner very much cheaper than by a foreign loan or by the sale of our securities, whether based on cotton or alone on the credit of the Government. Since the dispatch of the 7th was written I have received the communication of the President of the 18th of September, with copy of the agreement between the heads of the departments made on the 15th of the same month, from which it appears that the plan suggested by me has already been very nearly adopted so far as relates to the disbursing of funds; but there is no authority given to raise money or mode pointed out by which it can be done, unless section 5 of the agreement of the 15th of September authorizes Messrs. Fraser, Trenholm & Co. and myself to do so from the sale of the 8 per cent. bonds or cotton warrants in our hands, which can only be done at a ruinous rate. Since my dispatch of the 2d (No. 8), triplicate of which you will find inclosed,† I have advanced Commander M. F. Maury £12,000 from the Erlanger loan for a purpose which Mr. Mason and Mr. Slidell considered of the utmost importance, and taken from him $628,000 of the cotton warrants countersigned by Mr. Mason, and have now on hand $1,308,000 of these warrants, as well as all the other securities mentioned in my dispatch of the 2d instant, leaving in circulation $192,000 of these warrants, which are selling at 3½ pence per pound for cotton deliverable at Mobile. This is parting with cotton at a very low rate.

a Major Huse bought no jackets or drawers, but I have taken the prices paid by the British Government for these articles, corresponding in quality with the pants and shirts bought by Major Huse of S. Isaac, Campbell & Co. When different prices were paid by Major Huse for the same articles I have taken the average.

*See p. 982.

†See p. 980.

There has recently been some demand for the 8 per cent. bonds at 32 cents to 35 cents on the dollar. Both Mr. Spence and Mr. Prioleau are of the opinion that it would be well to sell a part of what are on hand while there is a demand. As stated in dispatch No. 8, the balance of the Erlanger loan will not meet the existing contracts of Captain Bulloch by 4,000,000 of francs, and as the whole of this money will be wanted by the middle of December it may be available to sell enough 8 per cent. bonds to realize that sum, so that the engagements of the Government may be met until some cheaper mode of raising money can be devised. Low as the rate for these securities is, I think it preferable to sell them than to sell cotton deliverable at the ports at 3½ pence per pound, for if in the meantime we can get money cheaper from other sources to meet our engagements here a very large profit can be realized by drawing against the proceeds of the sale and reinvesting in bonds at home. At the present rate of exchange the margin is very great, but it will not remain so long. Private enterprise has already embarked in the business and large sales to deliver the bonds are being made at 25 cents on the dollar.

Recently Mr. Charles Lafitte has renewed his proposition to make a loan for us. The preliminary proposition was made through an agent who brought a letter of introduction to me from Mr. Slidell; it was for 250,000,000 francs and on very favorable terms; but Mr. Lafitte having heard that the Government had recently made a loan for 100,000,000 francs and given to the contractors the monopoly, or rather the refusal of all future loans, withdrew from the negotiation before anything definite was concluded. I shall return to Paris in a few days and will endeavor to renew the negotiation with him so far as to get his proposition in shape to send to you in time for the meeting of Congress. I do not know, however, that the Government desires to make another foreign loan. For my own opinion on the subject I beg to refer you to my dispatch of the 9th of July (No. 3). If the financial policy recommended in the dispatch of the 7th (No. 9) be adopted, no loan will be required. If, however, it is the desire of the Government to make another foreign loan, discretionary power should be given to the general financial agent in Europe to contract one. If a competent person had had this authority in June or 1st of July money could have been had on very favorable terms.

* * * * * * *

With much respect, your obedient servant,

C. J. McRAE,
Agent for the Loan.

[First indorsement.]

SECRETARY OF WAR:

1. These papers show that all the contracts of the Government for supplies from abroad have resulted in realizing for contractors enormous profits without any corresponding benefit to the Government of the Confederate States.

2. That an absolute control of the trade in cotton—and I may add in tobacco and naval stores—should be assumed by the Government.

3. That agents of the Government of responsibility, intelligence, and fidelity should be appointed to control this trade under a bonus of the Government.

My opinion is that the only plan for relieving the currency that can be operative must embrace this absolute monopoly of this trade to be effectual. If all the cotton that has been exported had belonged to

the Government, we should have had a fund abroad adequate for the purchase of all military supplies, including ships to bring in and export the cotton.

J. A. CAMPBELL,
Assistant Secretary of War.

[Second indorsement.]

I concur.

J. A. S.,
Secretary.

EXECUTIVE DEPARTMENT,
Milledgeville, Ga., November 24, 1863.

[Hon. J. A. SEDDON,
Secretary of War:]

SIR: As requested by the General Assembly, I have the honor herewith to transmit to you a copy of the following resolution passed by the Legislature of this State now in session, and respectfully invite your attention to the same.

Very respectfully, &c.,

JOSEPH E. BROWN.

[Inclosure.]

A RESOLUTION to revoke the appointment of impressment officers and appoint citizens in their stead.

Whereas, the impressment law passed by the Congress of the Confederate States has been greatly perverted and violated by the impressing officers and those professing to be, by reason of which many of the citizens of this State have been greatly harassed, defrauded, and willfully wronged: Therefore,

Be it resolved by the Senate and House of Representatives in General Assembly convened, That the Secretary of War be, and he is most respectfully, requested to revoke the appointment of all the impressing officers of this State liable to conscription, and to have appointed in their place and stead, in counties where it may be necessary to make impressments to feed and support our gallant armies, one or more responsible citizens not liable to military duty, residing in the counties respectively.

Resolved further, That His Excellency the Governor be requested to forward a copy of these resolutions to the Secretary of War immediately, and to furnish each of our Senators and Representatives in Congress with a copy of the same.

BENNING B. MOORE,
Speaker pro tem. House of Representatives.
L. CARRINGTON,
Clerk House of Representatives.
A. R. WRIGHT,
President of the Senate.
L. H. KENAN,
Secretary of the Senate.

Approved November 23, 1863.

JOSEPH E. BROWN,
Governor.

[First indorsement.]

Respectfully referred to the Commissary-General for remarks.
By order of the Secretary of War:

R. G. H. KEAN,
Chief of Bureau of War.

[Second indorsement.]

OFFICE COMMISSARY-GENERAL OF SUBSISTENCE,
December 3, 1863.

Respectfully referred to Major Locke, commissary-general of Georgia.

L. B. NORTHROP,
Commissary-General of Subsistence.

[Third indorsement.]

RICHMOND, *December 3, 1863.*

In my opinion, the change contemplated by the resolutions of the Legislature of Georgia is open to grave objections at all times, and particularly so at the present crisis. The officers and agents whose displacement is recommended are those who have enabled us to subsist General Bragg's army for more than seven months past, besides sending large supplies to Virginia, South Carolina and elsewhere. They were appointed for their qualifications, and have all given large bonds for the faithful performance of their duty, and I know of no class of men against whom fewer objections can be urged. In nearly two-thirds of the State, *i. e.*, in Major Allen's (Second) and Major Millen's (Third) districts, the agents have been appointed generally from the counties where they reside, though in some cases there is but one agent to three counties. Major Millen averages one to two counties. As far as was consistent with propriety, selections were made from those beyond conscript age. These men have been tried; most of them have proved their efficiency, and have gained an experience and knowledge of their business to which new beginners could make no pretension. As few complaints have been made against them as could be expected under the circumstances. I submit the complaints and their refutations that have come to my knowledge in the Third District, and I undertake to say that those in the Second District are equally untenable. It is only in the First District, superintended by Major Cummings, that some of the agents are refugees from Tennessee and Kentucky; but they are men of conspicuous ability, thoroughly versed in getting up supplies, and but for their extraordinary energy and unflagging devotion the Army of Tennessee would long ere this have come to want. I am aware that there have been some cases of impostors passing themselves off as commissary agents, but the commissariat in Georgia cannot be held responsible for such acts, as the names of all our officers and agents were published throughout the State, and now new guards against imposition have been adopted in accordance with a late proclamation of His Excellency Governor Brown. As the law stands, it is altogether in favor of producers and altogether against impressing officers. The former can obtain redress if wronged, while the latter find scant favor, either at the tribunals of law or at those of public opinion.

All of which is most respectfully submitted.

J. L. LOCKE,
Major and Chief Commissary of Subsistence of Georgia.

GENERAL ORDERS, No. 153. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 25, 1863.*

Abuses having occurred from misconception of the force due to the passports certifying to the citizenship of the Confederate States, which are issued by the Secretary of State as matter of right to any citizen for use in foreign countries, it is announced that such passports are not intended to have and have not any effect whatever in the Confederacy to entitle to pass the Confederate lines or to sail from Confederate ports without due compliance with all police or military regulations prevailing there, or to exempt from military or other service imposed by law or regulations.

By order:

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, November 26, 1863.

His Excellency JEFFERSON DAVIS,
President Confederate States of America:

SIR: I have the honor to submit the following report:

During the past year the war has raged with increased violence, and on more extended arenas. From Central Pennsylvania to Southern Texas the shock of arms has been felt in many battles, on a grand scale and in numberless engagements varying from the conflicts of thousands to the skirmishes of a few.

Such extended warfare, as was almost inevitable, from the superior numbers and more abundant resources of the enemy, has been checkered by some reverses as well as illustrated by not a few brilliant victories and glorious achievements.

These events are at the same time too vivid in remembrance and too near in occurrence to make needful or appropriate their full recital. To illustrate the sustained glory of our arms, it will fully suffice to recall in the east the victory, against all odds of numbers and position, at Chancellorsville, the capture of Winchester, the invasion of Pennsylvania, closing with the grand but indecisive battle of Gettysburg, where the glorious successes of two days' combat barely failed on the third of being crowned by a crushing defeat to the enemy, and inflicted such heavy loss as enabled our gallant army, with many of the ends of the movement accomplished, to retire unassailed and defiant within our limits.

In the south, the complete repulse at Charleston in the spring of the grand attack by sea, made with the plated ships and guns of unprecedented caliber and range, which the arrogance of the foe imagined must overpower all resistance, has been followed in the renewed attack, conducted now by sea and land, by the bloody repulse at Wagner and Sumter, which last, reduced to a pile of crumbling ruins, yet harbors resources and heroic men that keep in distant awe and impotent malignity the enemy, with all his enginery of land and naval war.

In the far west, beyond the Mississippi, the valor and patriotism of our soldiers have been signalized by achievements which, though on a less grand scale, lose not in glory by comparison with any triumphs of the war. If we have, then, to report the loss of the Arkansas Post and the repulse at Helena, we have to glory in the hard-

fought battle of Prairie Grove; at the skillful evasion of an overpowering force in lower Louisiana; the steady resistance and judicious strategy that enabled a force wholly inadequate to a direct encounter, yet to harass, pursue, and finally to expel the hordes of the enemy. Then at the brilliant success of Brashear City, Milliken's Bend, and many minor affairs that asserted again the supremacy of our arms in Western Louisiana.

Texas, meantime, has been preserved intact, feeling the step of the foe only to expel him with shame and blood in the repulses at Galveston and Sabine Pass, which for the results obtained by limited means have been rarely matched in history.

The gravest reverses of the year have been sustained by us in Mississippi, and resulted in the capture of Vicksburg and Port Hudson with their garrisons; in the partial command by the enemy of the Mississippi River, and the temporary evacuation of Jackson, the capital of the State, by our remaining forces. Yet these were to the enemy bloody acquisitions, and to us reverses not unredeemed by much of glory and vengeance. Port Hudson and Vicksburg, by the gallantry and constancy of their defense, fully sustained the renown of their previous deeds; and the repeated efforts of the vastly superior forces of the enemy to snatch their prizes by violence ended only in fearful loss and shameful rout. Our brave soldiers succumbed only to privation and exhaustion, and whatever may have been the loss to the country, they at least lost not honor.

The campaign in Mississippi was certainly disastrous, and with the forces and resources collected in the State, it is difficult to resist the impression that the disasters were not inevitable. Their causes, and whether attributable to any deficiencies in prescience, skill, or valor on the part of either commanders or their troops, it is felt to be inappropriate here to discuss, as under a just sense of what is due to all concerned, as well as to the Confederacy, a court of inquiry has been instituted to make full investigation of the whole campaign. It met; but its session has, in consequence of military events occurring in its vicinity, and demanding the presence of witnesses and judges at other points of duty, been temporarily suspended. It is, however, expected soon to resume and complete its inquiries. Justice requires judgment to be suspended by all until from such acknowledged authority facts and conclusions can be attained.

These events caused great exultation and renewed confidence to the enemy, who imagine they had sundered the Confederacy and secured the unlimited command and free navigation of the Mississippi River, the great conduit of Western trade, while naturally a corresponding shock of despondency and foreboding of the consequences to ensue from the capture of so many brave soldiers and the loss of command over the river, and the means of ready communication with the West, affected the public mind of the Confederacy.

As results developed themselves the exultation and the depression are found to have been alike exaggerated. The gallant soldiers captured, after brief furloughs, having by exchanges, declared out of the excess of prisoners before so largely made by us, been released from their paroles, are for the most part already reorganized and equipped, and now stand ready, with their approved valor and constancy, to meet the invader of their country.

The communication with the Trans-Mississippi, while rendered somewhat more precarious and insecure, is found by no means cut off, or even seriously endangered.

This cannot well be otherwise, when it is recollected how difficult it is to guard, by gun-boats or troops, hundreds of miles of river-banks, if even securely possessed by the enemy, and how wholly impracticable, when on both sides, for the greater portion of the distance, the possession is with our own troops or people. Besides, the resources of the Trans-Mississippi are such as to make it self-sustaining; and against any force which the enemy, while engaged in their desperate struggle with the States on this side, can spare for attack on those beyond, it is not extravagant to say that they have better means of resistance and greater assurance of final success than the rest of the Confederacy. This Department, too, in view of the contingency of losing command of that river, has been endeavoring to aid the self-sustaining capacities of that section by the establishment of works for the production of all supplies needful for the maintenance and efficiency of its armies. To these considerations may be added that a general, among the ablest, the most zealous, and judicious the Confederacy can boast, is happily intrusted with the command and improvement of their resources, and enjoys the full confidence of the Government, the people, and the army. With circumstances thus favorable, the people of the Trans-Mississippi States have only to manifest the energy, courage, and devotion to the common cause of the Confederacy which have signalized them in the past to dissipate, as well among themselves as their more eastern brethren, needless apprehensions.

The hopes of the enemy have proven more illusive than the forebodings of our people. The Mississippi River is not open to them for the purposes of trade or travel.

Without a stronghold on the river, where heavy guns may be placed or defended, we may not debar passage to their vessels of war; but with the command of long stretches of the river-bank, and ready access to nearly all parts, it would be strange, indeed, if we allowed security or impunity to their boats of trade or passage. The river is nowhere so wide that sharpshooters, even, cannot prove formidable; batteries of light artillery, sustained by small detachments of cavalry, may almost absolutely command its channel. The frequent bends of its course, opening the boats, despite all side defenses, with their boilers and machinery, to a raking fire, and the wooded coverts that yet line many miles of its banks, give facilities and efficiency to such modes of attack. Above all, except as a mere outlet to the Gulf for the solid advantages of trade, which have been so realized in the past and are now as longingly anticipated by the States of the Federal Union on the Northern Mississippi and its tributaries, the river must have in its lower course a friendly people, engaged in the avocations of peace and productive industry, and not, as now, a desolated and deserted region, occupied only by men maddened by accumulated wrongs and eager for every means and opportunity of retribution. The folly of these vain expectations must soon be acknowledged, and may contribute to dissipate the wilder delusion that the Confederacy can be subjugated and the ends of unity and peace be obtained by violence and oppression.

On the other hand, the people of the Confederacy have been enabled to realize how little, with courage and constancy on their part, their fate is determined by even signal reverses and by the loss of single strongholds, however relatively important. While material injuries are freely admitted to have resulted to the Confederacy from the disasters in Mississippi, yet some real benefits have undoubtedly

accrued from the compulsory abandonment of fixed points of defense on the river. In view of the superior numbers of the enemy, and the larger appliances of war enjoyed by them, the necessity of defending special strategic points may justly be deprecated, since it retains stationary a large force, and offers a wager of battle against all odds, in which the result is less to be determined by valor and skill than by accumulated numbers and the improved armaments of modern warfare, in which alone circumstances give them unquestionable advantage. In the extent of our territory and the absence of vital centers the mobility of our troops gives for our defense advantages more than compensatory, and is therefore ever to be preferred.

The loss of Port Hudson and Vicksburg has, on our side, liberated for general operations in the field a large army, while it requires the enemy to maintain, cooped up, inactive, in positions insalubrious to their soldiers, considerable detachments from their forces. Nor in a country not accessible by inland waters, where their gun-boats can penetrate, are they enabled from their garrisoned points to establish control or dominion over any extended district. This is illustrated in Mississippi, where after having overrun, amid the dismay inspired by our reverses there, a large proportion of the State they have now been constrained to release and send off their forces, until they control little more than the ground their garrisons rest on, while the experience of their recent ravages and the insulting presence of a hated foe on their soil are rousing to fiercer indignation and resistance the people of the State.

In Tennessee the campaign has been conducted with more varied fortunes. The deficiency of resources in men and provisions, rather than reverses in battle, during the summer compelled the withdrawal of our army from Middle Tennessee to the south side of the Tennessee River, where for a long time they held at bay the superior forces of the enemy. At length, with large re-enforcements and the combination of a formidable army advancing from Kentucky, the enemy moved on the one side to possess East Tennessee, and on the other to cut off our larger army under General Bragg. The necessity of concentrating forces to encounter the main attack left East Tennessee, with feeble defense, to rely chiefly on the stronghold that guarded the main pass of the mountains. Unaccountably, and under circumstances which would force suspicion of cowardice or treachery but for the hope of satisfactory explanation from the commander, now a prisoner to the enemy, this almost impregnable post was surrendered without a struggle. In consequence East Tennessee came easily into the possession of the enemy; but when their invading forces, attempting to press their advantage, advanced toward Southwest Virginia, they were successfully encountered and repelled by our forces in that quarter. Meantime the grander aim of the enemy to cut off the army of General Bragg had been evaded by a quick withdrawal toward his base, and having received considerable re-enforcements from the veteran Army of Northern Virginia, General Bragg advanced, in turn, on his pursuers. Once again the superior prowess of our arms was established on the bloody field of Chickamauga in what ranks among the grandest victories of the war. Its immediate effects were to relieve all the more southern States from the dread of invasion and ravage, and to hold invested under privation and suffering the dismayed and shattered remnants of the enemy's grand army of the West. Its ulterior results yet await development, and may bring recovery of the

soil and deliverance to the people of a most important portion of Tennessee.

From the achievements of our Army the transition is natural to numbers, condition, and prospects.

The labors, perils, and sacrifices of the past year could not fail to exact losses from its glorious ranks. Time and the occasion forbid more than a passing allusion to the heroic dead, whose deeds and their memory constitute the glory of the present as they will the proudest inheritance of future generations. To the foremost of the illustrious throng, resting in the immortality of assured fame, more special reference may be demanded by just appreciation of his heroic qualities and eminent services, and by the saddened hearts of the people of the Confederacy, who mourn the death of their chosen champion, stricken, by "an accursed chance," in the hour when the prowess of a stroke of daring and generalship just accomplished had opened the way to crowning victory. Without disparagement to others, it may be safely said he had become, in the estimation of the Confederacy, emphatically "the hero of the war." Around him clustered with peculiar warmth their gratitude, their affections, and their hopes. His deeds had approved him a warrior of the highest order, as the whole tenor of his life, in peace as in war, had shown him the very type and model of the Christian and hero. From the first battle of Manassas, when, by his firmness and invincible will, he earned the title now indissolubly connected with his name, down to the battle of Chancellorsville, where his dauntless valor struck its final and most decisive blow, he was identified with almost every important movement and brilliant victory in Virginia. He had lived long enough to reap a full harvest of fame and to have become an example to his countrymen and the admiration of the civilized world. But to the Confederacy his loss is felt to be not only irreparable, because the memory of his deeds and the spirit he inspired glow through the hearts of its armies to animate to noble emulation and kindred deeds of valor, patriotism, and self-devotion. The blood of such a martyr to the cause of Southern liberty and independence canonizes it to the faith and devotion of all its defenders, and constitutes a resistless appeal to the sympathies of mankind as to the justice of God against the foul aggressions of our invaders.

Our Army may be less in the number of effectives present, but in every other respect is believed to be superior to its condition at the close of the last year. The men are more veteran, indurated to all the hardships and exposures of a soldier's life, familiar with danger, and confident in themselves and their officers. Their discipline is improved, and while their fiery valor is unabated their firmness and constancy may, under all circumstances, be more confidently relied on.

Our officers, through the tests to which they have been exposed and the purgation effected by the aid of examining boards, have been rendered more efficient and capable. Altogether, whether the character, valor, efficiency, and morale of the men and officers be regarded, it is but simple justice to them to assert that they have never been surpassed, if ever equaled, by any like number of troops in the records of modern warfare. It only remains that their number should be increased and kept up to the standards required by their organizations to give assurance of their invincibility and the early triumph of our cause. It becomes important to consider the sources whence such increase of numbers may be drawn.

The first means to be adopted, naturally, is to bring back to the Army the large and undue proportion of men, who, from the provisional character of the Army, from the vicinity and temptations of their homes, under the trials of early service and in a more relaxed state of discipline, have deserted and straggled from their colors.

The effective force of the Army is generally a little more than a half, never two-thirds, of the numbers in the ranks. From the absentees, considerable allowance is doubtless to be made for those disabled by wounds and sickness, to whom, as the law makes as yet no adequate provision, discharges have not been granted. It may yet be safely assumed that one-third of our Army on an average are absent from their posts, and may, with due efforts, be returned. The best means for the accomplishment of this end, it is believed, will be found in some agencies to be added to the service for the enrollment and collection of conscripts. They will be more naturally suggested in connection with the consideration which will be given to that branch of the service.

The classes liable to conscription constitute the natural aliment for the support and increase of the Army. During the most trying period of the last campaign, when reverses and captures so greatly diminished our forces in one important department, it was deemed expedient to subject to the call for conscription those between the ages of forty and forty-five. Thus, the male population between the ages of eighteen and forty-five, with the exception of such as under existing laws are exempt or have put in substitutes, are liable to military service. It is difficult to give with accuracy the number, who, under the past action of the conscript law, have been brought into our armies, and still more, those who yet remain to be called into the field. The law, it will be recollected, gives to all the privilege, before being enrolled, of volunteering into the companies they may prefer, and as calls have been made a large proportion of those who, under it, have come into service, have availed themselves of this privilege, and thus do not come under the cognizance of the conscribing officers, or on the lists of enrollment. On the nearest approximate estimate that can be made it is believed that to every one assigned there have been three volunteers. The number assigned during the past year in Virginia amounts to some 5,000, and hence the addition to the Army from that State would be some 20,000 men. Supposing, as there is no reason to doubt, that other States have done as well, some 80,000 to 100,000 men should have been added to our forces. Yet with so serious an addition our armies have not fully maintained their strength in numbers. This affords a startling, but, it is feared, not an incorrect view of the waste by sickness, casualties of battle, captures, desertions, and discharges.

The resources of supply from collection of deserters and from conscription must evidently diminish as the service becomes more active and the numbers are exhausted; and it cannot be confidently expected that they can during another year increase or even maintain our Army in its present numbers. Yet the enemy is making every effort and scrupling at no means to raise to overwhelming numbers his already superior forces. One draft for 300,000 men is scarcely finished, with results, indeed, but little satisfactory to him, before another call for a like number is made. The Army of the Confederate States, it is clear, must be at least maintained, and, if practicable, even increased. Our final triumph and independence must else be

precarious, and consequences worse than ever visited a conquered people may be our hateful and enduring lot. All means within our reach to swell our armies should unhesitatingly be employed.

The able-bodied men between eighteen and forty-five years of age constitute, naturally, the active force for the field, and would probably suffice and be as numerous as the means and products of the country would equip and sustain. It seems to have been the scheme of the conscript law that all such should be so devoted to active service; but the provision allowing substitutes and the exemption law have exonerated considerable numbers and classes. Both, it is submitted, should be repealed.

The law allowing substitutes has proved a means for depleting the Army, while it has done more than any single measure to excite discontent and impatience under service among the soldiers. The persons received as substitutes have proved, for the most part, wholly unreliable; have, in many cases, only entered to desert, and often elsewhere again to make sale of themselves with a view to like shameful evasion; while the fact that the wealthy could thus indirectly purchase liberation from the toils and dangers necessary for the defense of the very means that gave them the privilege, and of the country itself, naturally produced among the less fortunate and poorer classes repining and discontent.

The men thus exonerated, too, were, from the advantages of position and learning they had enjoyed, among the most spirited and reliable of our soldiers, who had shrunk rather from the hardships than the perils of a soldier's life. The law is deservedly regretted and reprobated by all acquainted with its operation. It is earnestly recommended that it be at once repealed, and that all who have enjoyed its benefits be now again subjected to the sacred duty of defending in arms their property, their liberties, and their country. No objection of law and justice precludes this, while every consideration of policy and equity commands it.

The liberty to put in a substitute, as it was given by act of Congress, may regularly and constitutionally be abrogated by the same instrumentality. There has been no compact, as has been alleged, between the soldier or conscript, exempting himself by putting in a substitute, and the Government. It is nothing more than a privilege, which from grace or policy the Government has accorded to him; and instead of complaining at its abrogation he ought to be grateful for the measure of exemption which he has been allowed to obtain. But it may be insisted that there is a contract existing, if not between the Government and the principal, yet, at least, between the principal and his substitute, of which, though made on the faith of an existing law, the former loses all benefit when he is reclaimed to service.

Were this the correct view it would be better for the Government that it should return to the principal a fair proportion of the sum expended by him in obtaining his substitute, in all cases in which such substitute has adhered to his engagement and not cheated the Government of the service to which the contract bound him, than to allow the further exoneration of the principal.

But in reality the just view of the matter seems to be that whenever a call is made on certain prescribed classes for military duty, the privilege of substitution only exempts from that call, and neither can nor ought to liberate the principal from the paramount duty, ever incumbent upon every citizen, as a patriot soldier, to defend his country. The principal when called, by having his substitute

accepted, is exonerated from service under that call only; and if he enjoys that, has the full consideration for the contract he has made, whether with the Government or his substitute. He falls back into the body of citizens and becomes one of the militia of the country, liable like all others to be summoned on other exigencies and upon further calls to military service. In his exemption from service under the special call which his substitute meets he has enjoyed his full privilege, or, if it be contract, he has received his stipulated consideration; a further call may not be made; future exigencies may not demand more levies for the Army; peace may be obtained, and then his exemption will have proved complete, and have been gained by the substitution. He, falling back into the militia, as every citizen liable to military duty, takes his chances of future calls and future necessities. He is subject to be again called whenever, in the judgment of the Congress having power to determine, the service of himself and any others is necessary for the public defense. Such need, it is submitted, now exists, and the class of principals, as well as all others constituting the militia, being under the paramount obligation, neither to be evaded or bargained against, of military service to the State, may be summoned to the field. A man can no more, by privilege granted or contract made, escape the paramount obligation of defending his country from invasion and ruin than by promise or purchase of absolution he can evade the duty of obedience to God. This view of the right of the Government to claim such service is submitted rather to remove scruples which have been imagined to exist on the part of Congress in authorizing the call than to obviate difficulties to be anticipated from the class of principals. It is confidently believed their courage, zeal, and patriotism will disdain all paltry quibbling to evade their country's call, and that by prompt response in that country's need they will manifest their appreciation of their own highest duty and their alacrity to meet whatever of peril or sacrifice it may entail.

No records exist which will furnish the precise number of principals who may thus be recalled to service. The best conjectural computation places the number throughout the Confederacy at not less, certainly, than 50,000 men of an age and class calculated to make approved soldiers.

The classes covered by the exemption law may also, it is believed, be advantageously abridged. The aim of the law seems to have been to exonerate only a sufficient number of experts in various professions, trades, and mechanical pursuits to meet the requirements of society, but as the mode of effecting this, in various instances, all of special trades or pursuits have been exempted. The consequence has been that a larger number of persons, more in various localities than are needed by the requirements of the country, have been relieved from service. This has caused some natural dissatisfaction among those whose services are exacted in the field, as well as has operated to the diminution of the numbers liable to conscription. A wiser course, it is believed, would be to render all within the prescribed ages, capable of bearing arms, subject to conscription and allow details to be granted from the professions and mechanical pursuits to the extent that may be necessary for the industrial wants of society. A considerable number might thus be added to the Army without unduly impairing the necessary supply of skilled labor for the needs of the country.

Another means of replenishing the Army would be by lessening or withdrawing the details which, from time to time, have been made

from the Army and from conscripts for the works and various operations of the Government. It has been the policy and earnest effort of this Department to make them as limited as possible, but still they have, under the unceasing demands of all branches of the service, swollen to a number that constitutes a serious abstraction from the Army.

One great cause of the number thus required has been the exceptional state of the market for labor caused by the enhancement of prices and the paucity of laborers. The comparatively few men who are at command for hire claim and can obtain wages that almost preclude their employment by the Government; and besides, as the public works have to be carried on by laborers assembled in considerable numbers and in many instances, as at mines, saltpeter caves, and the like, at distant points, the men above conscript age, having for the most part families and settled abodes, are reluctant to render their services for any rewards. The only remedy that is seen for this would be the extension of the claim of service by Government to a greater age and allow details from those not now subject to military call. Priority would thus be afforded to the Government in the command of laborers, and when it was thus distinctly recognized by them as their contribution to public defense and in lieu of the military service exacted of them, it would be acquiesced in without dissatisfaction.

To some extent, likewise, the necessity of details might be obviated by some organized system of impressing or engaging the labor of free negroes and slaves where they could be made available. The effort to do this, by the temptation of interests of owners, has been generally found to be unavailing. In many of the Government works, where the unskilled labor of slaves would be most available, exposure to the seductions or attacks of the enemy are dreaded by owners, who are averse to having them removed from their personal supervision and influence. To command slaves, therefore, in anything like the number required for the many works of Government to which they could be applied, compulsion in some form would be necessary. The use of negroes may, likewise, swell the number of men in arms in the field by substituting teamsters, cooks, and other camp employés, who are now largely supplied from the ranks. This policy has heretofore met the approbation of Congress, and been embodied in the act approved April 21, 1862. No provision, however, was made to procure the negroes for these offices, and from the causes mentioned, although their utility has been recognized, they could not be obtained by voluntary engagements of service or hire from their owners.

There may be difficulties and embarrassments in enforcing the service of slaves, but they might be overcome on the principle of impressing them as property, or of requiring contributions from their owners of certain quotas for public service, as has been done for works of public defense. The wickedness and malignity of our enemies have certainly placed [a] considerable number of negroes, almost of necessity, at the control of our Government. To favor the pusillanimity of their people, as well as the better to advance the nefarious ends of their unjust warfare, they have adopted as their deliberate policy the employment of the slaves as soldiers in their Army. They have already formed numerous regiments of the slaves they have seduced or forced from their masters, and the statement has been boastfully made in their public prints that they have already some 30,000 negro troops in arms. It is now an ascertained fact that as they overrun any portion of our territory they draw off, often by compulsion, the

most efficient male slaves and place them in their negro regiments; and when they have established anywhere a temporary occupation, they practice a regular system of compulsory recruiting from the slaves within their reach. Not merely, therefore, for the purpose of preserving to the Confederacy this valuable labor, thus abstracted, but from the plainer necessity of preventing the enemy from recruiting their armies with our slaves, it becomes a clear obligation on the military authorities of the Confederacy to remove from any district exposed to be occupied or overrun by the enemy the effective male slaves.

Were there any white population within our country so affected to the enemy as to afford recruits to their Army, there could be neither doubt nor delay in removing them to a secure distance on the approach of hostile forces, and surely the obligation is even more clear in regard to the slaves, whose employment by the enemy as soldiers converts them from valuable laborers into savage instruments of an atrocious war against our people and their institutions. All male slaves capable of arms, in such cases should, on the approach of the enemy, be at once removed by military authority to more secure districts, where they may be reclaimed by their masters, or, on their failure to do so, be employed on reasonable terms of hire by the Government. In this way, it is probable, a large number of efficient negroes may be obtained to supply the details from the Army for all unskilled labor, and also to liberate for arms the soldiers now engaged in unwarlike duties in the trains and camps of our armies. While it may be difficult to obtain the precise numbers that may, from these various sources, be thrown into our armies, there can be no doubt they would be swelled considerably beyond their present numbers, and constitute an army larger, as well as more effective, than any we have yet mustered. In view of the increasing repugnance of the enemy to furnish recruits to their Army, and the failing hopes it indicates, it is almost certain that manifestation of strength and resolution on the part of the people of the Confederacy would soon be decisive of the struggle. When all the disastrous consequences of long, wasting warfare are weighed and the mighty issues, to ourselves and our posterity, dependent on our success are realized, and it is apparent our people have only with united wills to and [*sic*] a supreme effort to put forth their entire strength to assure the prize of peace and independence, should there be misgiving or hesitancy even in adopting all the means requisite to summon forth the full number of our population of age and ability for arms, and to hurl them against the invading foe? The only inquiry, it is hoped, will be for the agencies that can most speedily accomplish the desired marshaling.

The organization already engaged in the execution of the conscript law may, with some slight modifications, be readily made available. With its officers it now extends to all portions of the Confederate States, and by systematized action it may be rendered as available to collect stragglers and deserters, to give information of the details that may be spared, and of the laborers, whether free or slave, that may be commanded to fill the places of the soldiers returned to service, as to enroll conscripts and the exempts and principals who may be again recalled to military service. One addition may be required to give it fuller efficiency. As originally designed the law was expected entirely to enforce itself by its prestige and the sanction of public sentiment. Every man, on being enrolled and summoned to his duty, was

expected promptly to respond, and no adequate means of compulsion were incorporated. This in the main has been sufficient, as among a free people, ready obedience to law—especially a law for the public defense—might be expected, and the appearance of compulsion, particularly by military authority, was to be deprecated as both unnecessary and revolting. But as the war has been realized in all its trials, repugnance and recusancy have, in some limited portions of the country, been manifested occasionally to the call of the conscribing officers, and when desertion and straggling have added in those districts numbers of lawless and desperate men, there have been combinations and organizations for open resistance to the regular action of the law. It is always best to overcome such evils in their inception, and to prevent such lawless feelings from coming to the head of open violence and insurrection. There has, therefore, been found the necessity, at times, of small supporting forces to aid and enforce the execution of the law, both of conscription and for the arrest of deserters. Such forces could only occasionally and at intervals be spared from the armies in the field; and it is therefore found expedient to organize of non-conscripts and the least available of the conscripts local or temporary organizations, which could be more constantly employed in arresting deserters and collecting the conscripts. A regiment or battalion in each State would probably suffice for the full accomplishment of these ends; and while under the general laws already existing a few companies have been organized and are thus employed, it might be well to have more special authority of law for the constitution and employment of such limited forces by the officers of the conscript service.

One of the subjects demanding early attention is to make provision respecting the troops whose term of service will expire during the ensuing spring and summer. The number is considerable. According to the records of the Adjutant and Inspector General's Office, 315 regiments and 58 battalions contain more or less of those whose original term of service having been for twelve months, either re-enlisted for two years or were embraced within the operation of the act of April 16, 1862. That act authorized the reorganization of the regiments, battalions, squadrons, and companies within its scope, which was completed once for all; and although the individual soldiers composing such organization in a greater or less degree be entitled to their discharge from them, the organization itself is not disturbed or broken up, but remains the more or less a skeleton, according to the numbers of those discharged. It is earnestly recommended that these organizations be not broken up by any legislative action. Great injustice would thereby be done to the gallant officers who have been tested in every way. The inspiriting associations and prestige of courage and success attached to the existing organizations would be lost. Should new organizations be authorized much injury would be done to the service by the unsettled feelings, discontents, and aspirations, and the demoralization in order and discipline which follow general electioneering throughout a command. These evils were so vividly realized in the reorganization of the twelve-months' men, and operated so harshly on many of the best officers in the service, that their renewal is most earnestly deprecated.

The men whose term of service would thus expire cannot finally be discharged from the service. The country needs their assistance for defense against our oppressors. Under the present law they would have the privilege of selecting their companies; but the exigencies of

the service may advise a modification of the privilege of selecting the existing companies in which to serve before enrollment so as to restrict it to a company of the same arm of the service. Otherwise a partiality for certain branches of the service, as, for instance, the artillery, the desire of change, of trying a new sphere of action, so natural to the individual, may operate to impair seriously, if not destroy, the efficiency of one or more arms of the service, while others might be increased beyond all proper proportion for usefulness.

The necessary legislation is therefore recommended to retain in service all those between the ages of eighteen and forty-five at the close of their present terms of enlistment, with the privilege of selecting beforehand an existing company in the same arm in which to serve, preserving the present organizations with their officers, to be filled up by such selections and the assignments of enrolled conscripts.

From peculiar circumstances or influences some of the present organizations will be greatly reduced in numbers, and to place them in a proper condition of efficiency will furnish an additional reason for the adoption of the means suggested to increase the numbers of our troops, especially of recalling to service the principals who have furnished substitutes.

In some instances, doubtless, the reduction of existing organizations will compel the necessity of consolidating them. This furnishes an additional reason to some hereafter produced for the bestowal of this power upon the Department.

The law providing boards to determine the competency of officers has operated very favorably both to secure efficiency and to promote improvements among all aspiring officers and men. It has done much to obviate the evils anticipated from the system of election and promotion in the Provisional Army when so few had the benefit of previous learning or experience. Still, the policy of elections at all may be well questioned, since inseparable from it [arise] an undue regard to popularity, especially among the non-commissioned officers, and a spirit of electioneering subversive of subordination and discipline. Promotions by seniority, too, as the rule may be judicious, but it might, considering the number of officers who have no military education, be advantageously varied with a large latitude to selection. Boards to test competency, instead of being casual and at discretion, should, it is thought, examine every officer on his promotion by seniority. The universality of the test would thus deprive it of that apparent invidiousness which often prevents its application. In that certainty, too, would be found a greater incentive to constant preparation on the part of all junior officers. It might be expedient to extend to these boards a wider power of recommendation, so that they might not be restricted to determining merely the competency of those before them, but might make recommendations of more efficient officers, whether in or out of the special organization, giving, however, preference on an approach to equal qualifications to the former. In determining the competency of officers the Board have extended their inquiries to physical disabilities. In consequence many officers whose gallant services are attested by their wounds, or whose health has been broken down by the privations or exposures of service, are honorably retired and thus deprived of their commissions. The efficiency of the service may be thus promoted, but every feeling of gratitude and justice revolts at such reward for wounds and sickness incurred in the service of the country. From such feelings it often happens that there is no call of a board in cases of disability, and then

the position of the disabled officer cannot be filled in the field, and the road to promotion is effectually blocked to the junior officers. This state of things is often felt by gallant officers under disability with such honorable sensibility that even without adequate provision for their own maintenance they feel bound to resign; nor can relief from this painful necessity be given by assigning them to posts or other duties than those of the field, for only by virtue of their commissions can such assignment be made and held, and their retention of the commission debars their juniors in the field from advancement, and leaves their command without the necessary complement of officers. All this results from the feature incident to the organization of the Provisional Army that the commission is restricted to and dependent upon the special organization. To obviate the serious mischiefs resulting it is recommended that all officers disabled by wounds or sickness incurred in the service should be honorably retired and severed from connection with their special organizations, but be allowed during the war to retain their rank and pay. They would thus be available, as far as their disabilities for field service would permit, for posts and other light duties, and might, without injury to the service in the field, be scarcely less useful to the country in less exposed but still important positions. Some measure of relief in these cases will be promotive of the efficiency of the Army in the field, while it is imperatively called for by the simplest justice to the brave officers who have been shattered in health or maimed in body in noble discharge or patriotic duty.

In connection with the subject of these boards, it seems appropriate to invite attention to the number of reports proceeding from them, and to the onerous duty which is imposed upon the Executive to examine and decide on all which retire or dismiss officers. With other arduous labors of even more importance it is not physically possible that the proceedings should receive from the Executive a consideration that is desirable for just revision. A like remark applies to the many cases from courts-martial and the military courts, which are sent up or brought up by appeal to Executive clemency to the consideration of this Department and the President. At the same time a painful responsibility attaches in all these cases which will not allow them to be lightly treated. To obviate the difficulty it is recommended that an officer, in the nature of a judge-advocate, be appointed specially to examine all such cases and to make report on all that require the exercise finally of Executive discretion. Some measure of this kind should be adopted or the approvals of the commanders in the field be made final, except on direct appeal within reasonable time to the Executive.

In reference to the cavalry, under the system of requiring men to furnish their own horses it is becoming daily more difficult, and it is feared will soon become impracticable, to keep mounted a sufficient number for effective service. Under the advance in price and the increasing scarcity of suitable horses few have the ability to supply themselves, while the contingencies of active and exhausting service, often on inadequate forage, too frequently imposes the necessity. The difficulty is enhanced by the limited range of casualties for which provision of payment is made—only those "killed in action."

The difficulty of procuring horses is also becoming almost equally applicable to officers. The law of the Provisional Congress making provision for the payment for horses killed in battle did not, according to the received construction, embrace officers. This was prob-

ably owing to the liberal rate at which, with existing values, their pay was fixed. In consequence they would receive no allowance whatever for horses, even when killed in battle, had not a law of the United States, embraced in the general re-enactment of the Provisional Congress, allowed them compensation not exceeding in any case the sum of $200 for the horse. The change which the increase of prices has made, particularly in the rate of pay, as also in the price of horses, renders it beyond the ability of many to procure suitable steeds when dismounted. Justice as well as the interest of the service urges the correction of these evils, and it is suggested either that the system be changed and horses be furnished by the Government to both officers and men with a disallowance of the compensation granted for the service or loss of the horse, or that provision be made to pay all officers, as well as men, the appraised values of their horses when lost by any of the actual contingencies of service, and not through remissness or neglect.

The advantages anticipated from the allowance of corps of partisan rangers, with peculiar privileges of prize to stimulate their zeal and activity, have been very partially realized, while from their independent organization and the facilities and temptations thereby afforded to license and depredations grave mischiefs have resulted. They have, indeed, when under inefficient officers and operating within our own limits, come to be regarded as more formidable and destructive to our own people than to the enemy. The opportunities, too, afforded them of profit by their captures, as well as the lighter bonds of discipline under which they are held, serve to dissatisfy the trained soldiers of the Provisional Army, who, encountering greater perils and privations, are denied similar indulgences. There are certainly some honorable exceptions to the general estimate thus held of the partisan corps, and in several instances partisan leaders have distinguished themselves and their corps by services as eminent as their achievements have been daring and brilliant. They constitute only notable exceptions, and experience of the general inefficiency and even mischief of the organizations would recommend that they either be merged in the troops of the line or be disbanded and conscribed. To preserve the few that are valuable coadjutors to the general service, discretion may be intrusted to the Department.

The military courts have been found to operate beneficially on the morale and efficiency of the Army. They have dispensed with the necessity of such frequent details of officers from their regular duties for courts-martial, and from their disconnection with the rivalries and interests of the line, as well as their larger experience and superior qualifications, have generally secured a larger measure of satisfaction to their judgments. As the courts, under the existing law, are each separately constituted, the members cannot, under temporary exigencies, be interchanged or assigned from one court to another. Inconveniencies have sometimes resulted from this, when from any cause it was desirable some member should not sit in a particular case or when some members of a particular court were detained by sickness or some other reason, and from inability to supply their places the court is rendered inoperative. As a remedy it is proposed the Executive be authorized at any time to assign judges from one court to another as in his judgment the service may require. And a similar authority to detail field officers as members of the court in temporary exigencies might be given to the commanders of corps or departments as is granted them by the law creating such courts to

detail an officer to perform the duties of a judge-advocate in case of his absence or disability.

For the due complement of staff officers the powers reposed by law in the Executive seem adequate with one exception. The appointment of quartermasters and commissaries for service in the field has never been extended beyond brigades, and consequently no such officer can be directly appointed for divisions, corps, or an entire army. The experience of the service indicates that for every army a chief quartermaster and commissary, in direct communication with the general, through whom the general supplies and movements of the army may be arranged and directed, are essential. So, also, as corps or even divisions have often in the operations of the field to operate separately, sometimes at considerable distances apart, almost as separate armies, for like uses to them a principal quartermaster and commissary are always important and at times indispensable. The necessity of the case has therefore led the generals, under their discretionary control over all the officers of their commands, to withdraw or assign from their brigades quartermasters and commissaries to act for the army, the corps, and divisions, and as such assignment proved continuous their places have not unfrequently been filled as vacancies by new appointments to the brigades. Indeed, this has become a practice so recognized that Congress in one of its acts has seemed by its reference to division quartermasters to have given to it an implied sanction. The Department, however, has, in the absence of express law, felt an embarrassment in either making such appointment or in giving to the officers assigned rank appropriate to their superior position and more extended duties. It is suggested that such difficulties had better be removed by direct authority for the appointment and assignment of such officers, with rank determined by the dignity of the commands to which they are to be attached.

For the more effective organization of the Army it will be necessary to have the power when companies or regiments are reduced in numbers below a certain complement to consolidate and organize them anew. This is a necessity greatly to be regretted, for many honorable associations, as well as the prestige of courage and success attached to the old organizations, make it a like matter of feeling and policy to retain them. Justice to the many gallant officers, who by such consolidations must lose their commissions, likewise increases their repugnance to the proceeding. With most of the organizations contributed from the States where the conscript law can be enforced, it is hoped the necessity may be avoided; but no alternative seems to exist in regard to those coming from the States overrun or in the occupancy of the enemy. Without such measure the organization from these States will dwindle to extinction. From them the recruits that can be procured come only in organizations of their choice and are generally induced to come forth from the enemy's lines by the active exertions of officers interested in forming new commands. This power of consolidation has sometimes, from the necessity of the case, been exercised by generals in command, but unless effected by consent the Department has felt its inability to regard them otherwise than temporary arrangements, and as leaving the old organizations with their officers in legal existence. This leads to the inconvenience of having officers of the line retained in commission without appropriate commands, and in every way causes complaint and confusion. In an indirect way the power is indeed possessed, and under the stress of necessity has sometimes been exercised by

the Department of effecting consolidations. That is, by disbanding one of the organizations from the same State, thus dismissing the officers and leaving the men liable to conscription, and then assigning the latter to the other organization. The effect of this, however, is to retain all the officers of the one organization while all the others lose their commissions; or if in lieu of this plan both organizations are disbanded and the men thrown together in a new one all the mischiefs and demoralizations resulting from elections and a new set of officers are hazarded. It evidently would be far better there should be the discretion reposed either in the commanding general or the Department to consolidate directly and let the best officers from both organizations be selected, either by the Executive or on the recommendation of impartial examining boards. Powers should be given, too, in such cases, to permit such of the officers not needed, who are recommended as deserving, to retain their commissions and be subject to assignment to other appropriate duties. Thus as far as practicable, in the painful necessity of reducing commands, efficiency in the commands would be reconciled with justice to the officers.

By the means recommended, all of military capabilities between the ages of eighteen and forty-five, excepting such as the actual needs of society or the Government render more serviceable in peaceful avocations, may be effectively devoted to active service in the field. But there will still remain large numbers of ages less adapted to the field, but still capable of arms, who may be rendered effective as a reserve and for purposes of local defense and internal police. In a struggle such as the Confederacy is engaged in, with all the dearest interests of the present and future dependent on the successful resistance to foes superior in numbers and material resources, and animated by the most malignant passions for our complete subjugation or extermination, all of whatever age capable of striking a blow or mustering for defense should be unhesitatingly summoned, as they should be prompt to answer to the sacred duty of repelling the invader. The Confederacy may well be regarded as a beleaguered city, where all capable should be placed at the guns, and all privileged from age or infirmity should yet minister to the common safety. The ruthless policy recently adopted by the enemy of cavalry raids through important districts of country with the nefarious purposes of destruction and devastation, that by depriving of the means of production and subsistence the helpless and dependent they may compel to submission the men they have feared to confront, or been unable to subdue, render more clear and imperative the duty of thus organizing and preparing our reserve population. These raids, hitherto made with little danger through extensive but sparsely populated districts, and prosecuted rather in the spirit of brigands than of soldiers, might be easily checked and punished by comparatively few brave men, however little adapted to continuous service, if only duly organized and armed. A few instances of merited vengeance from the intended victims of their rapacity and cruelty would effectually stop such malignant marauders. To accomplish such organization it will only be necessary to enforce as an obligation the duty on all capable of [bearing] arms to unite in such companies as are provided for voluntary engagements by the acts of the 21st of August, 1861, and the 13th of October, 1862. The former contemplated organizations for local defense and special service within prescribed districts, where the members remained uninterrupted in their ordinary avocations until on the occurrence of an emergency called by the President

into actual service, and when the need had passed were again returned to their civil pursuits. While in service they are armed, paid, and provided by the Confederate Government, and constitute a part of the Provisional Army, subject to the military authority and governed by the Rules and Articles of War. The latter provided for mere defensive bands of twenty or more, who on the approach of a hostile incursion should with their own arms and means bravely seek to defend their homes and punish the spoilers. It cast around them the ægis of the Government, and recognized them as among the authorized defenders of their country.

These two laws may readily be adapted to a division of the reserve population into two classes—those whose age and health would sustain service throughout the State, or some extensive district, and who might be called on for continuous service during an emergency, and those who only would be adapted to defensive or police operations within their counties. By this adaptation and a compulsory requirement the whole arms-bearing population not in active service could, without seriously impairing the productive and industrial resources of the country, be organized as effective aids in our great struggle. They would suffice to insure defense and internal security to each State and county, while the armies in the field could be employed solely in overthrowing the invading hosts of the enemy. A prouder spectacle would never have been presented in history than a whole people thus organized and armed, prepared, old and young alike, at home and on their frontiers, to meet and repel their rapacious aggressors.

The subject of the exchange of prisoners of war has excited much attention and has a painful interest to our people and our brave soldiers whom the fortunes of war have thrown into the hands of our enemies. It was the desire of this Government from an early period of the war to agree upon a fair and equitable system of exchanges. The large preponderance of prisoners being on our side negotiations were opened and had been nearly consummated, the terms having been agreed upon in accordance with the views of his Government as expressed by the commissioner of the United States, and under his assurance of satisfactory settlement a large number of prisoners held by us were delivered up. Some serious reverses, however, just then befalling us, and large numbers of prisoners being taken by the enemy, they refused to consummate the agreement and broke off the negotiation. Their loss in prisoners in subsequent military operations, especially in their disastrous defeats around this city, again giving us the preponderance, a cartel of exchange was agreed on and executed. Various efforts to obtain unfair advantages by quibbling as to its terms and operation were made and its provisions violated by the enemy, but the cartel was recognized as being in force and exchanges continued to be made. Our reverses in July again gave them, as they claim, a preponderance in the number of prisoners, since which time they have openly disregarded its obligations, and have now, upon false and flimsy pretext, declared it to be inoperative. All exchanges have now ceased, with little apparent prospect of renewal. The exchange of prisoners was desired on our part for the sake of humanity, to prevent, in accordance with the usages of war among civilized nations individual suffering as far as practicable, and all the obligations imposed on us as to the treatment of prisoners and exchange by such usages and the cartel of exchange have been fulfilled on our part with entire and scrupulous good faith, while the

course of our enemies has been marked by perfidy and a disregard of their engagements and the dictates of humanity.

The report of Mr. Ould, our commissioner of exchange, which accompanies this, will fully explain the present position of this interesting subject.*

It is gratifying to be able to report that during the past year the Ordnance and Mining Bureaus have steadily increased the production and supply of arms and munitions. Notwithstanding the serious injury sustained from fire by one of the leading establishments of the Confederacy for the manufacture of ordnance, yet by prompt repairs and the establishment of similar works in other portions of the Confederacy the manufacture has rather increased, and is now believed to be adequate to the regular demands of the service. Arms, too, of approved kinds are being made with more facility at more places and in larger numbers than at any previous time. Very valuable additions to our supplies of arms have been made during the year by our importations from abroad, and thus have enabled the Bureau promptly to repair the very heavy losses which were sustained in the disastrous campaign in Mississippi. But without such aids in the future, unless unwonted losses occur, confidence is felt in our ability by internal manufacture to provide arms adequate to the demands of our armies. In the manufacture of powder, balls, shells, &c., progress has been marked, and with some addition in the supplies of niter from foreign sources there will be no want of adequate supplies of superior quality. Special attention has been given to the distribution of these works in different portions of the Confederacy, so as not to leave our supplies dependent on single disasters. While not yet wholly independent in the supply of niter, there has been until very recently marked increase in its production. That increase has during the past year nearly doubled from production. The temporary occupancy by the enemy of the districts of the country where the richest deposits of nitrous earth were found has for the present diminished the production, but it is encouraging to know that the artificial sources of supply in beds of nitrous earth will soon begin to be available, and much more than supply the deficiencies which have resulted from the operations of the enemy. The mining operations in iron, lead, and coal have all been pushed with remarkable skill and activity under the direction of the zealous head of the Niter and Mining Bureau in despite of all the embarrassments resulting from the paucity of laborers and fluctuating prices, and the result has been in each more abundant production and a better prospect of future sufficiency than we have yet enjoyed. A more decisive exhibition of the resources and exhaustless capacities of endurance possessed by the Confederacy could not well be presented than the decided increase amid unprecedented efforts and sacrifices in the field and numberless impediments in procuring machinery, labor, and supplies of all the great manufactures essential for successful defense.

The Quartermaster and Commissary Generals, in the administration of their respective departments, have had during the past year extraordinary difficulties and embarrassments to encounter. The manufacturing operations of the former, as in the other bureaus, have indeed been conducted on a large scale, with more economy of material and with greater skill and energy than at past periods, and have made more nearly the supplies for the Army from internal resources,

*See Series II, Vol. VI, p. 654.

but still for some essential articles, such as shoes, blankets, and woolen cloths, partial dependence on importations could not be avoided. In these articles it can scarcely be expected that domestic production can be increased, for, under the wasting consumption of war, the production of the raw material is more likely to be diminished than increased. But the difficulties of both the Quartermaster and Commissary Generals have been most grave in the large necessary purchases and transportation of forage and subsistence. The abstraction of so much male labor from culture, and the barbarous ravages of the enemy, pursued with a systematic view to curtail our resources by spoliation and destruction, combined with unfavorable seasons to limit, almost beyond precedent, the production of these essential articles. The scarcity, too, was greatest in one or two of the States nearest to our large armies, and the necessity for months of sustaining almost entirely the armies of Northern Virginia from supplies of corn drawn from South Carolina and Georgia, will strikingly illustrate both the dearth and the difficulty of supplying it. At one time it was thought necessary to make appeal direct to the feelings and patriotism of the people for the prompt rendition of all surplus of supplies for subsistence, and it is a grateful duty to acknowledge that they who have never failed to recognize as their own the cause of the Confederacy, with zeal and emulation met the exigencies of the case, and in very many instances stinted themselves and their dependents to supply the Army. It is most creditable to these departments that they have been able, amid the real deficiencies existing and the many hindrances from distance, defective transportation, and other causes, to keep the armies at all times moderately supplied, and even able to make all the movements in the field which the exigencies of the campaign demanded. How long their exertion will avail to assure such results, it must be confessed, is now a matter of grave anxiety. The consumption of all animal life in the war has been very great, and in addition, during the past few months, destructive and widespread disease has prevailed among the swine, which constitute the most serviceable as well as largest resource for meat. Bacon and beef must, in view of the needs of the Army and the people, be scarce during the coming year. It is confidently believed, indeed, that there is a sufficiency of meat in the Confederacy to afford a reasonable supply to the Army, and yet sustain the people likewise, but to attain such result it must be husbanded with care and used with more economy than our people have been accustomed to practice. The supplies of hay and long forage generally are likewise undoubtedly scant, for these articles are not habitually produced in superabundance in the Confederacy, and the season has been decidedly unfavorable. Many substitutes for the better kind of long forage may be readily found on plantations, and it is hoped the people recognize the necessity of parting with the best of their stores for the use of the animals exposed to the much harder toils and labors of the service. This is the more necessary, as another of our immediate needs is the due supply of horses for cavalry and artillery, indispensable arms of the service. Our safety demands that we preserve our horses during the rigors of the winter, and in a condition to resume efficient service in the spring, as it would then be next to impossible to replace them.

But the gravest difficulty encountered by the purchasing department is that the only mode of obtaining supplies available to them is impressment. The inflation of the currency and the insatiable thirst for gain and speculation induced by it have caused inordinate

enhancement of the prices of all products, and a yet continuing advance, stimulated in part by the increasing volume of the currency and in part by the sordid calculation of large gains from hoarding by holders or speculators. To this has likewise contributed some distrust, not of the cause of the Confederacy, but of its future ability, however earnest its desire to preserve its credit and good faith, to redeem the large issues which such enhancements of price rendered inevitable. The consequences have been an almost universal repugnance on the part of producers and holders to sell at any price, except under compulsion. This evil had begun to manifest itself before the close of the last Congress to such a degree that some legislative remedy was recognized to be indispensable. To buy at current prices was seen to be suicidal to the credit of the Government, to swell its indebtedness, in a brief period, beyond its utmost capacities for redemption, and at the same time to raise by daily accessions the advancing scale of extravagant prices, until both the fears and interest of the holders would forbid sales at all. Under these circumstances Congress devised and authorized a system of impressment of all property required "for the good of the service," or the accumulation of adequate supplies for the Army, at the same time recognizing that under the exceptional circumstances of the country and the disturbance of the ordinary laws of trade regulating supply and demand current prices constituted no criterion of just compensation required by the Constitution to be allowed for the appropriation of private property to public uses. Congress provided for the ascertainment of such just compensation by reference, in the first instance, in part to local appraisers, and then to two commissioners to be appointed for each State, one by the Governor and the other by the President of the Confederacy. These officers, combining by their appointment the sanction of the State and Confederate authorities, were not only to entertain appeals from local appraisements, but from time to time to ascertain and prescribe fair rates of valuation to govern in impressments.

As there seems no other alternative, this was, perhaps, as judicious an arrangement on this delicate and difficult subject as was practicable, and on it the Government has been compelled to rely almost exclusively during the past year. This resource, operating with increasing stringency and strain, is at this time its only reliance. The evils attending it are, however, very great, and only less than the failure or deficiency of supplies, which, so far, it has managed to avert. Impressment is evidently a harsh, unequal, and odious mode of supply. With the utmost forbearance and consideration even its occasional exercise is harassing and irritating; but when it has to prevail as a general practice, to be exercised inquisitorially and summarily in almost every private domain, by a multitude of subordinate officers, it becomes beyond measure offensive and repugnant to the sense of justice and prevalent sentiment of our people. It has been, perhaps, the sorest test of their patriotism and self-sacrificing spirit afforded by the war, and no other people, it is believed, would have endured it without undue manifestations of discontent and resistance. It has caused much murmuring and dissatisfaction, but a knowledge of the necessities which alone justified it has caused the outcry to be directed rather to the mode and, as alleged, occasional excesses of its exercise than against the system itself. Casual irregularities and abuses in the use of such a power by numerous

agents in so many quarters may not be wholly avoidable, but every effort to obtain information respecting them and to afford prompt correctives has been earnestly made by the Department. As to the mode of action, great misapprehension has prevailed. It has been supposed that it was the system of the Department to attempt to regulate the prices for the public according to the schedule rates prescribed by the State appraisers, by impressing the products held by all who sold at higher rates, and in like spirit to keep supplies from being enhanced in price by the competition of consumers in the large cities, by the impressment of all supplies in transitu to market, unless the holders would agree to sell at schedule prices. To this supposed policy was ascribed the great enhancement of prices in the markets of the cities, and the gravest apprehensions of want were entertained by many from the alleged exclusion of free supplies to the cities. The orders and instructions of the Department had been, in fact, against such policy, and the republication and reiteration of the regulations on the subject, which had been made soon after the initiation of the system, have, it is hoped, removed such injurious impressions. At the same time it is found, as throughout it had been feared by the Department, that the scarcity and high prices of supplies in the markets of the country have not been due to the law of impressment or to the supposed policy under it. The impressment law applies only to the surplus of producers, and expressly exempts to them and others the reasonable supplies they may have or obtain for the consumption of themselves, their families, or dependents. Thus all consumers are privileged freely to supply themselves. All supplies, too, it is now at least fully known, are exempt in transitu to market and for a reasonable time afterward. Yet it is found that all prices have only the more rapidly advanced and are still advancing, and that neither are the markets of the city adequately supplied, nor can consumers, by purchase at current rates, without the utmost difficulty supply themselves.

The truth is, that the explanation, as the cause, is to be found outside of the impressment law, or the action under it. The real difficulty is, that the price advancing from day to day with an accelerated ratio and a steady depreciation of the currency, the holders, unless required by positive necessity, prefer to retain their supplies, and will not sell for any temptation of present price.

The impressment law is, in fact, almost the only corrective of this feeling, which would else be well-nigh universal. It favors the supply of the market and of consumers. The apprehension that surplus products if retained may be impressed by the Government at the rates prescribed by the State appraisers constitutes the strongest, as it is nearly the only, inducement to holders to sell at market rates. Setting aside feelings of humanity and patriotism, which, to a creditable degree, may induce sales, and testing the matter by the general motive of self-interest alone, this is a plain matter of calculation, who would sell, unless forced by a present necessity for the money, when constant advance in the price of the product is sure, and the money, if received at once, is no less certain of its depreciation before the occasion of its future use? The difficulty, therefore, with the consumer, as with the Government, is the redundancy of the currency and the consequent steady inflation of prices. This in its direct, and even more in its indirect, influences, not merely on the market and on the property of citizens, but on their instincts of selfishness, on their sentiments, tastes, and aspirations, is a fearful evil, and more demoral-

izing to our people than the more dire calamities of war. It pertains to another branch of the Government and to an abler mind to portray this subject in its true colors and to propose correctives; but as the mischief weighs as a paralysis on the energies of this Department, I may be excused for saying that in my judgment the sole effective remedy is prompt reduction of the existing issues to the amount needed for currency by the people of the Confederacy, and the inflexible determination and pledge never to exceed it. No mode of utilizing the credit of the Confederacy can be so wasteful as the enhancement of all prices by a constantly increasing ratio, or so mischievous as the subversion of the standard of values, tempting all into the wild whirl of speculation, and corroding, by the vile greed of gain, all the nobler elements of character. If the present system be continued, prices, already many hundred per cent. above true values, must be indefinitely enhanced, the credit of the Government must be wrecked utterly, and no alternative left for the continuance of our patriotic struggle and the preservation of our lives and liberties but grinding taxation and the systematized seizure, without present compensation, of all supplies needed for the employés, as well as the armies, of the Confederacy.

The necessity of reliance on impressment as the ordinary mode of supply it is trusted will, by judicious legislation, soon be obviated; but as it may at all times be of occasional necessity and employment, it is desirable that the law be perfected in some of its features. In the confidence felt, with justice in the main, in the deference of our people for law and in their patriotic disposition to comply with the requirements for their defense, Congress has made imperfect provision as to the mode of procedure for its enforcement, especially when evaded or resisted. It is very important that the enforcement of all laws, even those having direct connection with military affairs, should not look to or be dependent in the first instance on the sanction of armed force, but should be attained by civil procedures and the regular administration of justice. The absence of such provisions in this law has compelled the Department to frame and issue regulations assimilating the proceedings to civil administration, which regulations partake more of the character of legislation than is felt to be appropriate to military orders. They have been acquiesced in with commendable recognition of their aim by the public, but it is preferable they, or more perfect provisions, should have the legislative sanction.

The tax in kind which was adopted, in some measure, to obviate the issue of notes and the resort to impressment, has been as yet but measurably operative; but beneficial results have so far followed, and greater are expected to flow from its application. Delays have resulted, it is believed from inevitable causes for the most part, in the lists of assessment to be made by the officers of the Treasury and handed over to the quartermasters. To obviate these and realize early supplies, invitations were extended to all producers to deliver spontaneously to the quartermasters and commissaries what they considered as their tithes, for which receipts would be given, to be allowed in evidence of delivery on the future reception of the assessors' lists. To some extent this invitation has been responded to, and has relieved, so far, the Department from the necessity of impressing supplies, and has lightened the labor of future deliveries. Owing to reluctance, however, generally felt by producers either to indicate the extent of their crops or to prepare them for market, from both

the fear of impressment and the indisposition to sell, deliveries before assessment have been less prevalent than was anticipated. It is yet too early to form any reliable estimates of the amounts of supplies that may be counted on from this tax, but it is certain that the loss of several productive districts, the wanton ravages of the enemy in others, and an unfavorable season for growth in considerable regions of the Confederacy, must materially lessen the supplies that were calculated on from this source. Enough has been realized to justify the wisdom of the imposition of this tax, and as earnest injunctions have been given to both assessors and collectors to expedite, as far as practicable, their operations, it is hoped sufficient returns may be obtained at an early day to direct the future legislation of Congress to the attainment of larger supplies by this mode of taxation. Its increase would evidently contribute to the financial relief of the Government, while a larger contribution in kind, if only equitably apportioned in comparison with the impositions on other classes, would probably prove to the producers the most acceptable mode of taxation.

The inflation of the currency and inordinate prices of all supplies have caused to the Department a painful embarrassment from the inadequacy of the salaries and allowances to its clerks and employés to maintain them. Single men in such positions are barely able to subsist on their official compensation, and those with families, when without other means, have been obliged to yield their places, depend on the charity of friends, or suffer dire privations. Cases of such real suffering have resulted from this cause that it would be culpable remissness or unfeeling obduracy not to urge earnestly a more just provision for them. Their whole time and labor are given, with a zeal, devotion, and industry rarely surpassed, to the toilsome and unostentatious duties of the bureaus and offices. Means, at least, of subsistence and lodging should be accorded without delay by the Government to such faithful laborers.

The administration of the Department in all its extensive operations has been greatly impeded by the deficiency of transportation, especially on railroads. Shut off from the sea, and with command of very few of its rivers, the Confederacy is dependent almost wholly on the railroads for communication and transportation. The roads were not constructed with reference to such extensive needs, and even in time of peace, with all facilities of supplies and repairs, would have been inadequate to such duties. How much less in time of war, with every drawback of deficient labor, insufficient stock, defective machinery, and scant supplies, and with exposure often to seizures or spoliations by the enemy, could they be expected to meet such unexpected requirements. It must be matter of surprise and gratification that they have sustained themselves so well and have afforded to the Government and the people the measure of accommodation they have. It is but a just tribute to them to say that in the main they have been managed in a patriotic spirit, and have rarely failed to meet the requirements of the Government with alacrity and zeal. It has not been necessary during the year to exercise the large discretionary powers of control vested by Congress in the Executive over the railroads, for if repugnancy existed to the just demands of the Government the known possession of such powers has sufficed to exact compliance. But while the dispositions of the railroad companies have been good, their means have gradually been becoming less. The Government has already given to many some aid, but will have hereafter to

render fuller and more constant assistance. Some of the minor roads will have to be sacrificed to keep up the tracks of the leading lines. Iron will have to be provided and rolled for machinery and the construction and repair of locomotives and rolling-stock. Skilled mechanics, to some extent, will have to be furnished from the Army, and for some of the more delicate machinery needed by them importations from abroad may have to be attempted. With these aids it is hoped they may not only be maintained, but improved in their means of transportation. The lowest point of depression has probably passed. For the first year or more, under the delusive expectation of the early termination of the war, the companies relied almost wholly on their existing stock, and made few efforts at supply or reparation. They scarcely husbanded their resources, which, under the exhausting demands made on them, became greatly diminished. Of late, with more experience, a wiser prescience guides their management, and besides practicing economy of means they are sedulously engaged in endeavoring to increase their stock, and to provide for the contingencies of future service or loss. In their best estate they will not be able to furnish adequate facilities of transportation for both the Government and the people. From considerations of public utility and supreme duty, as well as from their dependence on the aid of the Government, they should be required by law, as nearly all have engaged by contract to give preference in all cases to Government freight, so as to command all their means of transport when necessary. Beyond that it is the fixed rule of the Department to make no exaction on them, and to attempt no regulation of their surplus means of transportation, or to award no special privileges to any in their use, but leave such free to the discretion and management of their officers. On this subject misconception has often prevailed, and the charge of favoritism has been alleged against the Department, but on no point has inflexibility been more steadfastly maintained and all special privileges denied.

It will have been noted that in nearly all the branches of supply we are not yet exempt from dependence to a greater or less extent on foreign importations. These can only be obtained by the command of sterling funds or exchanges on foreign countries, and be introduced by evasion of the existing blockade. Without credit in foreign countries, so established as to enable the Government to borrow without great sacrifice, if at all, and with the difference of exchange appreciating daily to a ruinous rate, it becomes early apparent to me that recourse must be had to our great staple products, which, in the markets of the world, were readily exchangeable for coin. They had only to be placed abroad, and the same means which exported them would serve for the necessary importations. The business of evading the blockade had previously been in private hands alone, and while precarious had been under skillful charge a source of enormous profits. So excessive had become the rates of freight and exchange, that on calculation it was found that the mere charge, independent of the cost of the cargo, for the freightage of a steamer of 300 tons from the West India Islands to one of our ports were to the Government upward of two millions of dollars in its currency. Under these circumstances the Department did not hesitate to inaugurate the plain policy of evading the blockade with steamers purchased and run by its officers. The limited means at the command of the Department abroad, which could be spared from the necessity of procuring immediate supplies, were employed in purchasing several

steamers. These, under competent officers, were at once engaged in exporting cotton and importing supplies. The number which the means of the Department could command were far too few to meet its requirements, and contracts were made with capitalists to provide and engage in the trade other steamers in which the Department took an interest, to be paid for in cotton, either to be delivered here or to be exported in them. In this way, while more vessels were induced to venture in the business of evading the blockade, a controlling influence was secured over the importations made in them for private account. This constituted an important consideration for the public good, as under the temptations merely of private interest it had been found to a great extent articles of mere luxury or noxious use, as liquors, from the superior profits they afforded, rather than goods of real utility to the people were introduced by the steamers of private traders. The steamers owned by the Department, four in number, were for a long time run between Wilmington and the islands with signal success and almost the regularity of packets. The profits by the outward and the saving by the inward trips to the Department were very great, as at each trip, according to the current rates, the value of the vessel was fully reimbursed. It is a moderate calculation to estimate the gain thus effected for the Department as upward of twenty millions of dollars in curreney. Still the quantity of cotton which could be carried out by the steamers, owned or held in part by the Department, by no means supplied the sterling which was required abroad for the wants of the Government, and the experiments made had only served to demonstrate what resources for establishing credit and commanding funds abroad could be afforded by larger exportations of our staple products—cotton and tobacco. About the same time, too, the closing of the port of Charleston by the successful operations of the enemy on Morris Island, caused apprehensions that the business of evading the blockade would soon become more difficult and precarious. This made it more important to place abroad, as rapidly as possible, a stock of cotton which would afford means of commanding large supplies while they could be introduced. The Department, therefore, in conjunction with the Honorable Secretary of the Navy, who fully appreciated this mode of supplying the demands of his Department for sterling, proposed and succeeded in effecting arrangements with the companies and merchants engaged in evading the blockade on private account by which, on fair terms of freight payable partly in cotton here and partly in drafts on the cotton taken out by them, they undertook on every voyage to take out some a third and some one-half of their cargoes of cotton for the Government, and likewise placed at the command of the Government a fair proportion of their capacities for freight on the return trip for the importation of its supplies. The Department was aided in effecting this arrangement, not only by the patriotic feelings of the private owners, but also by the facilities it was enabled to afford them in commanding cargoes of cotton without unnecessary delays through the preference in transportation given by the railroads to cotton ordered by the Government. Hence, in view of the importance of continuing these arrangements with private merchants, it has become more than ever essential that the priority of transportation on the railroads should be maintained to the Government, for under present laws by that preference alone can these arrangements for the exportation of cotton be continued.

These arrangements were made in good time, for, as anticipated, the blockade of Wilmington, the port of the Confederacy best adapted

for evading the blockade, has been of late more stringent. All the blockading ships of the enemy have been transferred from Charleston, and within the last two months a considerable number of steamers, among them those belonging to the Department, have been captured or destroyed to prevent them falling into the hands of the enemy. While the risk is now certainly increased, still, with the additional steamers which the contracts with the Government or the temptations of private gain has brought into the trade, it is believed the blockade may be evaded so far as to add greatly to our resources abroad from the exportation of our staple and to bring in the supplies needed by the Government. Measures, meantime, are being taken to increase the facilities of entrance into the port by the use of movable batteries of Whitworth guns of long range along the coast and to endanger the safety of the blockading vessels.

So long as our staples can be exported and supplies introduced with reasonable exemption from capture there cannot be a question of the policy of pursuing the venture, and when all the advantage to our credit abroad and to our means of resistance within the Confederacy are estimated, it may be well questioned whether the whole trade should not be subjected by law to equitable regulation, so as to secure to the Government a fair proportion of the profits resulting from all shipments. As the trade could not be carried on at all except to fortified cities and through the special protection afforded by the armaments of the Government, the benefits derived by the Government would be only a reasonable return. The regulation of the trade, both to secure a participation in the profits to the Government and to require the introduction mainly of articles of use or necessity instead of luxuries and noxious liquors, it is believed is demanded by the general sentiment of the country, and would be readily acquiesced in by the sense of justice and patriotic feelings of the merchants engaged in the trade.

The business of export and import for the Department became so large and important that it was found necessary to devote officers of the Department and special agents at Wilmington to its management. It has grown almost a separate branch of administration in the Department, and to be nearly assimilated to a separate bureau. While thus it has been conducted with success, some serious practical inconveniences have resulted from not having a separate office or bureau established by law and specially charged with the whole business. All the bureaus depending in some measure on foreign supplies have been interested in the operations thus conducted, and all have had to contribute out of their appropriations, according to their interest, in providing means for the purchase of ships and cargoes; and as under the interruptions of the blockade the exact proportions in which cargoes are furnished are not known for a long time, and when the vessels are lost can never be precisely ascertained, great difficulties exist in settling and apportioning the credits and charges to each. This is apt to create dissatisfaction as well as irregularities in the accounts of each bureau. It would manifestly be simpler and more satisfactory that the business should be made a separate one under the control of a competent head; that appropriations should be made directly for its operations; all sales and purchases abroad be made under his instructions; and that, providing means abroad, it should be only called on by the Bureau for their appropriate supplies. When it is considered to what extent cotton and other staples have to be purchased and forwarded in the Confederacy, arrangements for procuring and running ships or contracting with the owners of vessels in the

trade to be negotiated, shipments, and sales in foreign countries to be effected, and purchases and importations made from abroad, it will be readily seen that the business requires an able head and will constitute by no means the least important branch of the administration pertaining to the Department.

A proper officer as well as judicious regulations are likewise desirable for the conduct of the trade in cotton and supplies between Texas and Mexico. The law leaves the trade entirely free, but as the export of cotton affords almost the only means of obtaining supplies for the Trans-Mississippi Department, the generals commanding there have felt themselves under the necessity of prescribing regulations and conditions for the conduct of the trade. This was rendered the more necessary from the limited means of transport which could be commanded, and which, without some restriction, there was danger would be engrossed by private parties eager to participate in a most lucrative trade or to remove beyond the contingencies of war the funds realized by them from the conversion of their property in the Confederacy. The regulations imposed by military authority were, however, regarded by many whose pursuit of gain was hindered as vexatious and illegal, and produced such complaint and dissatisfaction that they were abrogated by the Department. The necessities of that command now more than ever require the control of this trade and its direction to the supply of funds and stores for its military needs. The trade should be either carried on directly by competent officers of the Department, or conducted on conditions or by permits that would secure to the Government as its results necessary credits and supplies from abroad.

In other points, likewise, comprehensive legislation will be required for the proper administration of the military affairs in the Trans-Mississippi Department, since by the interruption of command over the Mississippi River by the enemy facilities of communication with the more eastern States and the seat of government are greatly diminished. In anticipation of such contingency as already stated, arrangements, months prior to our reverses in Mississippi, had been initiated by this Department to make as far as practicable the Trans-Mississippi Department self-sustaining and capable of separate administration. Foundries, manufactories of arms, powder mills, and workshops, as well as explorations for mines and nitrous earths had been instituted, and while some have been already in successful operation others were in progress of early completion.

To conduct and further complete these various branches of military administration it is desirable that separate offices under competent heads should be established. Indeed, so far is this Department isolated and severed from direct communication with the Department here, that it is deemed judicious some extraordinary powers of military administration should be intrusted to the general commanding, and that officers assimilated to the Bureau of the Department here under his immediate supervision, yet reporting as opportunities offer to the heads of the corresponding bureaus here, so as to preserve harmony and conformity of action, should be constituted by law. A separate office should certainly be established there for the conscript service, and either the conscripts be directed to be appropriated entirely to the organizations west of the Mississippi River, or some ratio of apportionment, as well as mode of sending recruits to the organizations on this side, be prescribed. It may be necessary, too, to give some unusual power of recommending and assigning officers

to service, subject to the future approval and action of the Executive. By these means it is believed that serious embarrassments and inconveniencies from the isolation of that Department will be remedied.

It is gratifying to know that the severance of the States west of the Mississippi from those of the East has caused no abatement in their devotion to the Confederacy, their confidence in its cause, or in their spirit or resolution to achieve a common independence. Entire harmony and co-operation prevail between the Confederate and State authorities there, and in the valor of their soldiers, the ability of their generals, the patriotism and hardy, resolute character of their people, the wide expanse and impracticable nature of their territories, and the great though only partially developed resources of their country, all find an assured augury of ultimate triumph.

It is gratifying to be able to state that our relations with the Indians, under the protection of this Government, continues to be of a satisfactory character. Though there have been some instances of disturbances among individuals, as was to be expected under the machinations of our enemies, and the withdrawal of our troops from the coterminous territory under military operations in adjoining States, yet Mr. Scott, our Indian agent, who has just returned from a visit to and a sojourn among them of some months, gives assurance that they continue unshaken in their loyalty to the Government and in their devotion to our cause and sacred rights. His report accompanying this will furnish details of interest.*

The estimates for the expenditures of this Department for the six months, from January 1 to June 30, 1864, are herewith transmitted. * The amount is large, but at the existing rate of prices certainly not greater than is required to maintain the armies of the Confederacy in a state of efficiency. Indeed, if there be a continuance of the constantly accelerating advance in the cost of all supplies that has attended the inflation of the past year, these estimates will scarce prove adequate to the wants of the Department. Should, however, there be a reduction of the currency to the actual needs of the country and its maintenance on a stable basis, these estimates may be largely reduced. Such policy is the only mode of correcting this as [well as] the many other resulting evils of our redundant currency.

Since the foregoing was written the shifting fortune of war has brought reverse to our army in Northern Georgia near the theater of its great triumph. While a large portion of our forces were engaged in improving their victory by the expulsion of the enemy from East Tennessee, and on the eve, as appeared, of entire success, the enemy accumulated large reinforcements within their beleaguered lines at Chattanooga. With overwhelming numbers they assailed our army in position before them, and, though meeting bloody repulses on either wing, carried the position when weakened in the center. This unexpected reverse seems to have caused something of panic in a portion of our troops dreading to be cut off, and led to a hasty retreat of the whole army with considerable loss, both in men and material. The enemy pressed their advantage with alacrity, and were pursuing with exultation and confidence, when they were encountered by one of our unshaken divisions and driven back, with fearful loss, in confusion and dismay. This more than checked their advance, for it compelled the rapid retreat of their whole army, with all the attendant indications of dreaded pursuit, behind the lines of Chickamauga,

* Not found as inclosures.

where they have since remained. Meantime, deep interest concentrates on the events occurring in East Tennessee, where it is yet uncertain whether our disasters in front of Chattanooga may not have compelled the sudden retreat of our forces, when on the eve of consummating their work by the capture of Knoxville, with General Burnside and his army.

Movements of the enemy on the Rappahannock have again proven the invincible Army of Northern Virginia, under its consummate commander, the sure bulwark of the Capital. Emboldened by some partial success, the results to us of incaution or overconfidence, the Federal army crossed the Rapidan in full force, and with every indication of making by battle an open way to Richmond. General Lee was prompt to offer them the coveted opportunity, but while they ventured to confront they dared not encounter the veterans before whom they had so often recoiled in defeat and humiliation. After their vaunting manifestation they have ignominiously slunk off under cover of night, and again sought an inglorious shelter in their lines beyond the river.

A fair review of the varied events of the year should cause no abatement of confidence in the ultimate triumph of our cause. Our very reverses, as already stated, will only demonstrate to our enemies the futility of their aims and the vanity of their hopes. A brave people, commanding a territory of such extent and resources, never have been, and, while true to themselves and their liberties, never can be subjugated. Those reverses, however, admonish our people, as they would avoid the desolating ravages and costly bloodshed of protracted war, to unite their wills and concentrate their energies and resources to the grand aim of expelling the invader. We have only to will and to dare as one man, and our work is sure of accomplishment. Every motive or incentive that can fire the soul or nerve the arm of man are urgent upon us. All that is dear to humanity—property, honor, wives, children, and homes—nay, the very lives of the present and the hopes of future generations, for us are staked on success. The malignant intents of the foe would exterminate or debase us, through the insolent lordship of our slaves, to the mastery of his brutal despotism. No alternative exists but stern defiance and unflinching resistance. Our only as our certain safety is in victory. Every impediment should be cast aside. The insatiate spirit of greed must be exorcised. Distrust and despondency be displaced by the confidence of invincible resolve and the might of a firm faith. Our means without stint, and our men without favor or affection, must be rendered to the cause. Each man should rise to the height of a supreme duty, counting all cost as gain, and exulting in every sacrifice that shall free us forever from loathsome association with a despicable people, and establish the Confederacy of our choice on the basis of approved strength, in permanent fruition of peace, prosperity, and independence.

Respectfully submitted.

JAMES A. SEDDON,
Secretary of War.

GENERAL ORDERS, No. 154.

ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, November 26, 1863.

I. No ordnance or ordnance stores other than those prescribed in the Ordnance Manual, edition of 1863, or specially approved by the

Ordnance Bureau, are allowed to be purchased or fabricated. The permission given to officers by paragraph 1232, Army Regulations (paragraph 9, Ordnance Regulations), to provide ordnance and ordnance stores, "in case of urgent necessity," is to be exercised, subject to the above restrictions.

II. Accounts paid by disbursing officers for the purchase, fabrication, or repair of ordnance and ordnance stores contrary to the foregoing order will not be admitted in the settlement of their accounts.

By order:

S. COOPER,
Adjutant and Inspector General.

HDQRS. VOL. AND CONSCRIPT BUREAU, DEPT. NO. 2,
Montgomery, November 27, 1863.

General S. COOPER,
Adjutant and Inspector General, Richmond, Va.:

GENERAL: In sixty days the work of this bureau will have so far exhausted the conscript population of Alabama and Mississippi, and will also so far have restored the stragglers to the Army from those States, as to make it unnecessary to retain the companies of supporting forces of this bureau on that duty. They will constitute a force for the general service, and I apply for authority of Secretary of War to organize them, in anticipation of approaching necessity for field service. In the present threatening attitude of the enemy on Georgia this force, if organized and thrown into a body, would render most efficient service on the enemy's flank and rear and line of communication extended into the interior. The officers of this bureau who are permanently supernumeraries could be assigned to the command by the orders of Secretary of War, and in some cases they might be advanced a grade or two in rank. If the application is approved and the authority granted to make the organization, I would combine the companies to constitute the regiments and give the names of field officers for each, and forward the whole through General Johnston for consideration of the Honorable Secretary. This would not disturb the work of the bureau until it became necessary to order the concentration; everything would remain in statu quo. In view of the contingencies of the future, a wise forecast would indicate the necessity of this organization. It will be necessary for the Secretary of War to issue this order to prevent the supernumerary officers, some of whom belong to General Bragg's army and some to General Johnston's, from being withdrawn from the commands to which they may be attached in this organization.

Respectfully,

GID. J. PILLOW,
Brigadier-General, C. S. Army, Superintendent, &c.

[First indorsement.]

DECEMBER 9, 1863.

Respectfully submitted to Secretary of War.

I was informed by the Secretary of War some short time since that Brigadier-General Pillow would be relieved from conscription duty. I think this letter affords a convenient opportunity to carry that intention into execution, and I would recommend that this bureau be closed at once, and that General Pillow be ordered to report for duty

to General Hardee. Two bureaus on the same subject, each acting independently of the other, are, I think, calculated to produce confusion. I think the suggestion of General Pillow in regard to the companies within referred to is not consistent with law. If they are composed of conscripts, as I suppose them to be, the men should be distributed amongst the companies requiring recruits to fill their ranks, and in that case I would recommend that they be sent to the army under General Hardee for that purpose. The supernumerary officers referred to by General Pillow would of course vacate their commissions, and such of them as are of age of conscription would be liable to be conscribed.

S. COOPER,
Adjutant and Inspector General.

[Second indorsement.]

DECEMBER 12, 1863.

I concur in the Adjutant-General's indorsement. Relieve General Pillow and transfer control to Colonel Preston. Order General Pillow to report to General Hardee. The conscripts must be sent equally to all the armies, not to General Hardee alone. The supernumerary officers, as far as they hold commissions, will not lose them, but may be used by Colonel Preston.

J. A. S.,
Secretary.

[Third indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
December 16, 1863.

Respectfully referred to the chief of Bureau of Conscription. Please note and return.

By command of Secretary of War:

H. L. CLAY,
Assistant Adjutant-General.

[Fourth indorsement.]

BUREAU OF CONSCRIPTION,
Richmond, December 17, 1863.

Respectfully returned to the Adjutant and Inspector General. Contents noted and copied.

JNO. S. PRESTON,
Colonel and Superintendent.

[NOVEMBER 27, 1863.—For Magruder to citizens of Western Texas, calling upon all capable of bearing arms to proceed to the camp of General Bee, see Series I, Vol. XXVI, Part II, p. 452.]

GENERAL ORDERS, No. 155. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, November 28, 1863.*

I. In order that detachments unaccompanied by quartermasters may be supplied with the means of obtaining forage, quartermasters of the regiments or commands to which they belong are hereby authorized to furnish to the officer in command, or such other officer as may be designated, sufficient funds for that purpose, upon duplicate

receipts being given therefor. Upon the return of the detachment the officer receiving such funds shall return to the quartermaster an account of the expenditures for forage, which will exhibit the amount expended, the number of animals, and the time during which they shall have been subsisted. Upon the rendition of such accounts and the repayment of any unexpended balance in his hands, the officer will be entitled to the return of his original receipts, and the quartermaster will account for the forage so obtained as if the same had been purchased and issued by him.

II. When small detachments are sent off unaccompanied by a commissioned officer, quartermasters are authorized to commute their forage rations in advance for the time designated in the order for such detached service, filing a certified copy of such order in support of the voucher; or upon the return of detachments to their commands, when no funds shall have been supplied under the foregoing provisions, expenditures incurred for forage by the officer in command of such detachments, within the regulation allowance, may be reimbursed by the quartermaster of the command, upon accounts supported by affidavits and approved by the commanding officer.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 157. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 1, 1863.*

I. The provisions of paragraph I, General Orders, No. 67, current series, are hereby extended so as to include officers of the Commissary Department and such agents of that department as have been appointed by the Secretary of War.

II. When a soldier ordered before a "board of examiners for conscripts" or a "hospital examining board," in pursuance of paragraph III, General Orders, No. 141, current series, is unable to appear by reason of physical disability, he will forward to the enrolling officer a certificate to this effect, signed by his attending physician, which certificate will also embrace a full and accurate statement of the case. The enrolling officer will submit the certificate to either board, who, in conference with him, will make upon it such recommendation as may be warranted by the facts ascertained and the character of the parties. This recommendation, with the statement, will be forwarded as directed in the paragraph above quoted.

By order:

S. COOPER,
Adjutant and Inspector General.

WAR DEPARTMENT, SURGEON-GENERAL'S OFFICE,
Richmond, December 2, 1863.

Medical directors of hospitals will instruct surgeons in charge of hospitals not to use coffee as an article of diet for the sick. In consequence of the very limited supply, it is essential that it be used solely for its medicinal effects as a stimulant.

S. P. MOORE,
Surgeon-General C. S. Army.

[DECEMBER 3, 1863.—General Orders, No. 158, Adjutant and Inspector General's Office (here omitted), publishes a schedule of the average cost of arms, parts of arms, and accouterments.]

CIRCULAR No. 59.

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., December 4, 1863.

1. The superintendent renews his appeal to the commandants of conscripts for continued and increased vigilance and energy in the execution of the various and most important duties intrusted to them. On your efforts now mainly depends the supply of material for the vital struggle for liberty. To you the Government and people look for those judicious and effective measures which will send the armies into the field and maintain them there.

The agencies have been placed in your hands for sending forward at once every man legally subject to military service. If one escapes, unless by order of our superiors, we are derelict. You are charged, then, to use these agencies to their utmost capacity for the work. Send out competent, trustworthy inspectors, and supply every defect and cure every evil.

Be relentless in your demands on your officers for the complete and rigorous performance of their duties. Instantly suspend and report every incompetent man. Our organization is sufficient for the functions prescribed, and if it fails to perform them Congress will not and ought not to sanction its continuance. If we fail to replenish the armies to the full extent of the supply now existing, or to send back the deserters and absentees, these armies will be disintegrated before the next campaign, and our cause is lost. An effort to prevent this result by a resort to military force we know will hasten the catastrophe. On the present system, in the hands of the commandants of conscripts, largely depends our preservation of the armies from utter ruin.

2. The matter of subsistence of the armies is one which ought seriously to engage the attention of commandants of conscripts in recommending and adjusting exemptions. The superintendent desires your most earnest deliberation concerning this matter, and believes you will observe the public interest by reporting to the Bureau succinctly any suggestions on the topic.

3. During the present session of Congress commandants will be careful to make their reports prompt, full, accurate, and minute, and in forms easily intelligible. They will require each Congressional district officer to make such frequent periodical reports as will exhibit the exact condition of the service in their respective districts, and in such form as may be used whenever called for by the Bureau.

The import of this requisition will readily suggest itself to commandants.

4. Use the most energetic measures to organize the supporting force provided for in Circular No. 39. It is essential to the due execution of your duties. You cannot fulfill them without it. But it is of further import; it will prevent desertion. The day it is known in the field that a vast net-work of officers and forces cover the whole country, the sole duty of which is to gather in the culprits, desertion

will cease. Deserters will not incur the certainty of arrest, and this supporting force, properly organized and handled, attains that certainty.

5. It would be impossible, if it were desirable, for the superintendent justly to prescribe minute details of regulation adapted to the various localities, which must be and is confidently left to the intelligence of the commandants.

The superintendent deems it proper to warn these officers to avoid cumbrous, expensive, and ineffectual arrangements, not warranted by law or the permission of the Bureau, and it will not be permitted that one idle and unnecessary officer or man be kept in the service. You are emphatically cautioned on this point, and it is earnestly hoped that the inspectors of the Bureau about to be sent will have no case to report on this point.

By command of Colonel Preston, superintendent:

C. B. DUFFIELD,
Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., December 5, 1863.

His Excellency J. E. BROWN,
Governor of Georgia, Milledgeville, Ga.:

SIR: I have the honor to acknowledge the receipt of the resolution of the General Assembly of Georgia transmitted by Your Excellency. Feeling much surprise and regret at the grave complaints against the officers of the Department presented in them, I directed that they should be referred to Major Locke, chief commissary of the State of Georgia, for investigation and report. A copy of his response is herewith inclosed for the information of Your Excellency and the General Assembly.*

Great deference is felt for the opinion and wishes of the Legislature, but the exigency which now exists of supplying the Army precludes the Department from revoking the appointment of all the impressing officers in Georgia liable to conscription, as requested. Earnest effort has been made in the past and renewed exertion will be used in the future to remove all just cause of complaint, and the orders of the Department have always been that so far as practicable persons not liable to military duty should be employed by the various bureaus in preference to able-bodied men capable of service in the field. It has likewise been the policy of the Department to give preference in making such appointments to those who, by nativity and past association, are presumed to be better acquainted with the resources of the State and more acceptable to the people than strangers from other States, and in deference to the wishes of the General Assembly that policy will be even more rigidly adhered to in the future.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

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*Not found as an inclosure, but see Locke's indorsement of December 3, p. 989.

SURGEON-GENERAL'S OFFICE,
Richmond, Va., December 5, 1863.

Surg. R. POTTS,
Medical Purveyor, Macon, Ga.:

SIR: Below you will find a formula for a compound tincture of the indigenous barks to be issued as a tonic and febrifuge and substitute as far as practicable for quinine.

Very respectfully, your obedient servant,

S. P. MOORE,
Surgeon-General C. S. Army.

Dried dogwood bark, 30 parts; dried poplar bark, 30 parts; dried willow bark, 40 parts; whisky, 45 degrees strength; two pounds of the mixed bark to one gallon of whisky. Mascerate fourteen days. Dose for tonic and anti-febrifuge purposes, one ounce three times a day.

[DECEMBER 6, 1863.—For Magruder to Murrah, in relation to providing troops to resist invasion, see Series I, Vol. XXVI, Part II, p. 486.]

RICHMOND, VA., *December 7, 1863.*

THE SENATE AND HOUSE OF REPRESENTATIVES OF THE CONFEDERATE STATES:

The necessity for legislative action arising out of the important events that have marked the interval since your adjournment, and my desire to have the aid of your counsel on other matters of grave public interest, render your presence at this time more than ordinarily welcome. Indeed, but for serious obstacles for convoking you in extraordinary session and the necessity for my own temporary absence from the seat of government, I would have invited you to an earlier meeting than that fixed at the date of your adjournment.

Grave reverses befell our arms soon after your departure from Richmond. Early in June [July] our strongholds at Vicksburg and Port Hudson, together with their entire garrisons, capitulated to the combined land and naval forces of the enemy. The important interior position of Jackson next fell into their temporary possession. Our unsuccessful assault upon the post at Helena was followed at a later period by the invasion of Arkansas, and the retreat of our army from Little Rock gave to the enemy the control of the important valley in which it is situated.

The resolute spirit of the people soon rose superior to the temporary despondency naturally resulting from these reverses. The gallant troops, so ably commanded in the States beyond the Mississippi, inflicted repeated defeats on the invading armies in Louisiana and on the coast of Texas. Detachments of troops and active bodies of partisans kept up so effective a war on the Mississippi River as practically to destroy its value as an avenue of commerce.

The determined and successful defense of Charleston against the joint land and naval operations of the enemy afforded an inspiring example of our ability to repel the attacks even of the iron-clad fleet on which they chiefly rely, while on the northern frontier our success was still more marked.

The able commander who conducted the campaign in Virginia determined to meet the threatened advance on Richmond, for which the enemy had made long and costly preparations, by forcing their armies to cross the Potomac and fight in defense of their own capital and homes. Transferring the battle-field to their own soil, he succeeded in compelling their rapid retreat from Virginia, and in the hard-fought battle of Gettysburg inflicted such severity of punishment as disabled them from early renewal of the campaign as originally projected. Unfortunately the communications on which our general relied for receiving his supplies of munitions were interrupted by extraordinary floods, which so swelled the Potomac as to render impassable the fords by which his advance had been made, and he was thus forced to a withdrawal, which was conducted with deliberation after securing large trains of captured supplies, and with a constant and unaccepted tender of battle. On more than one occasion the enemy has since made demonstrations of a purpose to advance, invariably followed by a precipitate retreat to intrenched lines on the approach of our forces.

The effective check thus offered to the advance of the invaders at all points was such as to afford hope of their early expulsion from portions of the territory previously occupied by them, when the country was painfully surprised by the intelligence that the officer in command of Cumberland Gap had surrendered that important and easily defensible pass without firing a shot, upon the summons of a force still believed to have been inadequate to its reduction and when re-enforcements were in supporting distance and had been ordered to his aid. The entire garrison, including the commander, being still held prisoners by the enemy, I am unable to suggest any explanation of this disaster, which laid open Eastern Tennessee and Southwestern Virginia to hostile operations and broke the line of communication between the seat of government and Middle Tennessee. This easy success of the enemy was followed by an advance of General Rosecrans into Georgia; and our army evacuated Chattanooga and availed itself of the opportunity thus afforded of winning, on the field of Chickamauga, one of the most brilliant and decisive victories of the war. This signal defeat of General Rosecrans was followed by his retreat into Chattanooga, where his imperiled position had the immediate effect of relieving the pressure of the invasion at other points, forcing the concentration for his relief of large bodies of troops withdrawn from the armies in the Mississippi Valley and in Northern Virginia. The combined forces thus accumulated against us in Tennessee so greatly outnumbered our army as to encourage the enemy to attack. After a long and severe battle, in which great carnage was inflicted on him, some of our troops inexplicably abandoned a position of great strength, and by a disorderly retreat compelled the commander to withdraw the forces elsewhere successful, and finally to retreat with his whole army to a position some twenty or thirty miles to the rear. It is believed that if the troops who yielded to the assault had fought with the valor which they had displayed on previous occasions, and which was manifested in this battle on the other parts of the line, the enemy would have been repulsed with very great slaughter, and our country would have escaped the misfortune and the Army the mortification of the first defeat that has resulted from misconduct by the troops. In the meantime the army of General Burnside was driven from all its field positions in Eastern Tennessee

and forced to retreat into its intrenchments at Knoxville, where for some weeks it was threatened with capture by the forces under General Longstreet. No information has reached me of the final result of the operations of our commander, though intelligence has arrived of his withdrawal from that place.

While, therefore, our success in driving the enemy from our soil has not equaled the expectations confidently entertained at the commencement of the campaign, his progress has been checked. If we are forced to regret losses in Tennessee and Arkansas, we are not without ground for congratulation on successes in Louisiana and Texas. On the sea-coast he is exhausted by vain efforts to capture our ports, while on the northern frontier he has in turn felt the pressure and dreads the renewal of invasion. The indomitable courage and perseverance of the people in the defense of their homes have been nobly attested by the unanimity with which the Legislatures of Virginia, North Carolina, and Georgia have recently given expression to the popular sentiment, and like manifestations may be anticipated from all the States. Whatever obstinacy may be displayed by the enemy in his desperate sacrifices of money, life, and liberty in the hope of enslaving us, the experience of mankind has too conclusively shown the superior endurance of those who fight for home, liberty, and independence to permit any doubt of the result.

FOREIGN RELATIONS.

I regret to inform you that there has been no improvement in the state of our relations with foreign countries since my message in January last. On the contrary, there has been a still greater divergence in the conduct of European nations from that practical impartiality which alone deserves the name of neutrality, and their action in some cases has assumed a character positively unfriendly.

You have heretofore been informed that by common understanding the initiative in all action touching the contest on this continent had been left by foreign powers to the two great maritime nations of Western Europe, and that the Governments of these two nations had agreed to take no measures without previous concert. The result of these arrangements has, therefore, placed it in the power of either France or England to obstruct at pleasure the recognition to which the Confederacy is justly entitled, or even to prolong the continuance of hostilities on this side of the Atlantic, if the policy of either could be promoted by the postponement of peace. Each, too, thus became possessed of great influence in so shaping the general exercise of neutral rights in Europe as to render them subservient to the purpose of aiding one of the belligerents to the detriment of the other. I referred at your last session to some of the leading points in the course pursued by professed neutrals which betrayed a partisan leaning to the side of our enemies, but events have since occurred which induce me to renew the subject in greater detail than was then deemed necessary. In calling to your attention the action of those Governments I shall refer to the documents appended to President Lincoln's messages, and to their own correspondence, as disclosing the true nature of their policy and the motives which guided it. To this course no exception can be taken, inasmuch as our attention has been invited to those sources of information by their official publication.

In May, 1861, the Government of Her Britannic Majesty informed our enemies that it had not "allowed any other than an intermediate

position on the part of the Southern States," and assured them "that the sympathies of this country (Great Britain) were rather with the North than with the South."

On the 1st day of June, 1861, the British Government interdicted the use of its ports "to armed ships and privateers, both of the United States and the so-called Confederate States," with their prizes. The Secretary of State of the United States fully appreciated the character and motive of this interdiction when he observed to Lord Lyons, who communicated it, "that this measure and that of the same character which had been adopted by France would probably prove a death-blow to Southern privateering."

On the 12th June, 1861, the United States minister in London informed Her Majesty's Secretary for Foreign Affairs that the fact of his having held interviews with the commissioners of this Government had given "great dissatisfaction," and that a protraction of this relation would be viewed by the United States "as hostile in spirit, and to require some corresponding action accordingly." In response to this intimation Her Majesty's Secretary assured the minister that "he had no expectation of seeing them any more."

By proclamation issued on the 19th and 27th April, 1861, President Lincoln proclaimed the blockade of the entire coast of the Confederacy, extending from the Potomac to the Rio Grande, embracing, according to the returns of the United States Coast Survey, a coast line of 3,549 statute miles, on which the number of rivers, bays, harbors, inlets, sounds, and passes is 189. The navy possessed by the United States for enforcing this blockade was stated in the reports communicated by President Lincoln to the Congress of the United States to consist of twenty-four vessels of all classes in commission, of which half were in distant seas. The absurdity of the pretension of such a blockade in face of the authoritative declaration of the maritime rights of neutrals made at Paris in 1856 was so glaring that the attempt was regarded as an experiment on the forbearance of neutral powers which they would promptly resist. This conclusion was justified by the facts that the Governments of France and Great Britain determined that it was necessary for their interests to obtain from both belligerents "securities concerning the proper treatment of neutrals." In the instructions which "confided the negotiations on this matter" to the British consul in Charleston, he was informed that "the most perfect accord on this question exists between Her Majesty's Government and the Government of the Emperor of the French," and these instructions were accompanied by a copy of the dispatch of the British Foreign Office of the 18th May, 1861, stating that there was no difference of opinion between Great Britain and the United States as to the validity of the principles enunciated in the fourth article of the declaration of Paris in reference to blockades. Your predecessors of the Provisional Congress had, therefore, no difficulty in proclaiming, nor I in approving, the resolutions which abandoned in favor of Great Britain and France our right to capture enemy's property when covered by the flags of those powers. The "securities" desired by these Governments were understood by us to be required from both belligerents. Neutrals were exposed on our part to the exercise of the belligerent right of capturing their vessels when conveying the property of our enemies. They were exposed on the part of the United States to interruption in their unquestioned right of trading with us by the declaration of the paper blockade above referred to. We had no reason to doubt the good faith of the

proposal made to us, nor to suspect that we were to be the only parties bound by its acceptance. It is true that the instructions of the neutral powers informed their agents that it was "essential under present circumstances that they should act with great caution in order to avoid raising the question of the recognition of the new Confederation," and that the understanding on the subject did not assume, for that reason, the shape of a formal convention. But it was not deemed just by us to decline the arrangement on this ground, as little more than ninety days had then elapsed since the arrival of our commissioners in Europe, and neutral nations were fairly entitled to a reasonable delay in acting on a subject of so much importance, and which from their point of view presented difficulties that we, perhaps, did not fully appreciate. Certain it is that the action of this Government on the occasion and its faithful performance of its own engagements have been such as to entitle it to expect on the part of those who sought in their own interests a mutual understanding the most scrupulous adherence to their own promises. I feel constrained to inform you that in this expectation we have been disappointed, and that not only have the governments which entered into these arrangements yielded to the prohibition against commerce with us which has been dictated by the United States in defiance of the law of nations, but that this concession of their neutral rights to our detriment has on more than one occasion been claimed in intercourse with our enemies as an evidence of friendly feeling toward them. A few extracts from the correspondence of Her Majesty's Chief Secretary of State for Foreign Affairs will suffice to show marked encouragement to the United States to persevere in its paper blockade, and unmistakable intimations that Her Majesty's Government would not contest its validity.

On the 21st of May, 1861, Earl Russell pointed out to the United States minister in London that "the blockade might no doubt be made effective, considering the small number of harbors on the Southern coast, even though the extent of 3,000 miles were comprehended in terms of that blockade." On the 14th of January, 1862, Her Majesty's minister in Washington communicated to his Government that, in extenuation of the barbarous attempt to destroy the port of Charleston by sinking a stone fleet in the harbor, Mr. Seward had explained "that the Government of the United States had last spring, with a navy very little prepared for so extensive an operation, undertaken to blockade upward of 3,000 miles of coast. The Secretary of the Navy had reported that he could stop up the 'large holes' by means of his ships, but that he could not stop up the 'small ones.' It had been found necessary, therefore, to close some of the numerous small inlets by sinking vessels in the channel."

On the 6th of May, 1862, so far from claiming the rights of British subjects as neutrals to trade with us as belligerents, and to disregard the blockade on the ground of this explicit confession by our enemy of his inability to render it effective, Her Majesty's Secretary of State for Foreign Affairs claimed credit with the United States for friendly action in respecting it. His Lordship stated that "the United States Government, on the allegation of a rebellion pervading from nine to eleven States of the Union, have now for more than twelve months endeavored to maintain a blockade of 3,000 miles of coast. This blockade, kept up irregularly, but when enforced, enforced severely, has seriously injured the trade and manufactures of the United Kingdom. Thousands are now obliged to resort to the poor rates for sub-

sistence, owing to this blockade. Yet Her Majesty's Government have never sought to take advantage of the obvious imperfections of this blockade in order to declare it ineffective. They have, to the loss and detriment of the British nation, scrupulously observed the duties of Great Britain toward a friendly State."

Again, on the 22d of September, 1862, the same noble earl asserted that the United States were "very far indeed" from being in "a condition to ask other nations to assume that every port of the coasts of the so-styled Confederate States is effectively blockaded."

When, in view of these facts, of the obligation of the British nation to adhere to the pledge made by their Government at Paris in 1856, and renewed to this Confederacy in 1861, and of these repeated and explicit avowals of the imperfection, irregularity, and inefficiency of the pretended blockade of our coast, I directed our commissioner at London to call upon the British Government to redeem its promise and to withhold its moral aid and sanction from the flagrant violation of public law committed by our enemies, we were informed that Her Majesty's Government could not regard the blockade of the Southern ports as having been otherwise than "practically effective" in February, 1862, and that "the manner in which it has since been enforced gives to neutral governments no excuse for asserting that the blockade has not been efficiently maintained." We were further informed, when we insisted that by the terms of our agreement no blockade was to be considered effective unless "sufficient really to prevent access to our coast," "that the declaration of Paris was, in truth, directed against the blockades not sustained by any actual force, or sustained by a notoriously inadequate force, such as the occasional appearance of a man-of-war in the offing, or the like."

It was impossible that this mode of construing an agreement so as to make its terms mean almost the reverse of what they plainly conveyed could be considered otherwise than as a notification of the refusal of the British Government to remain bound by its agreement or longer to respect those articles of the declaration of Paris which had been repeatedly denounced by British statesmen and had been characterized by Earl Russell as "very imprudent," and "most unsatisfactory."

If any doubt remained of the motives by which the British ministry have been actuated in their conduct it would be completely dissipated by the distinct avowals and explanations contained in the published speech recently made by Her Majesty's Secretary for Foreign Affairs. In commenting on the remonstrances of this Government against the countenance given to an ineffective blockade, the following language is used:

> It is said we have, contrary to the declaration of Paris, contrary to international law, permitted the blockade of 3,000 miles of American coast. It is quite true we did so, and the presumable cause of complaint is quite true, that although the blockade is kept up by a sufficient number of ships, yet these ships were sent into the U. S. Navy in a hurry, and are ill-fitted for the purpose and did not keep up so completely and effectively as was required an effective blockade.

This unequivocal confession of violation, both of agreement with us and of international law, is defended on grounds the validity of which we submit with confidence to the candid judgment of mankind.

These grounds are thus stated:

> Still, looking at the law of nations, it was a blockade we, as a great belligerent power in former times, should have acknowledged. We ourselves had a blockade of upward of 2,000 miles, and it did seem to me that we were bound in justice to the Federal States of America to acknowledge that blockade. But there was another reason which weighed with me. Our people were suffering severely

for the want of that material which was the main staff of their industry, and it was a question of self-interest whether we should not break the blockade. But in my opinion the men of England would have been forever infamous if, for the sake of their own interest, they had violated the law of nations and made war, in conjunction with these slave-holding States of America, against the Federal States.

In the second of these reasons our rights are not involved, although it may be permitted to observe that the conduct of governments has not heretofore to my knowledge been guided by the principle that it is infamous to assert their rights whenever the invasion of those rights creates severe suffering among their people and injuriously affects great interests. But the intimation that relations with these States would be discreditable because they are slave-holding would probably have been omitted if the official personage who has published it to the world had remembered that these States were, when colonies, made slave-holding by the direct exercise of the power of Great Britain, whose dependencies they were, and whose interests in the slave trade were then supposed to require that her colonies should be made slave-holding.

But the other ground stated is of a very grave character. It asserts that a violation of the law of nations by Great Britain in 1807, when that Government declared a paper blockade of 2,000 miles of coast (a violation then defended by her courts and jurists on the sole ground that her action was retaliatory), affords a justification for a similar outrage on neutral rights by the United States in 1861, for which no palliation can be suggested; and that Great Britain "is bound, in justice to the Federal States," to make return for the war waged against her by the United States in resistance of her illegal blockade of 1807, by an acquiescence in the Federal illegal blockade of 1861. The most alarming feature in this statement is its admission of a just claim on the part of the United States to require of Great Britain during this war a disregard of the recognized principles of modern public law and of her own compacts, whenever any questionable conduct of Great Britain, "in former times," can be cited as a precedent. It is not inconsistent with respect and admiration for the great people whose Government have given us this warning, to suggest that their history, like that of mankind in general, offers exceptional instances of indefensible conduct "in former times," and we may well deny the morality of violating recent engagements through deference to the evil precedents of the past.

After defending, in the manner just stated, the course of the British Government on the subject of the blockade, Her Majesty's foreign secretary takes care to leave no doubt of the further purpose of the British Government to prevent our purchase of vessels in Great Britain, while supplying our enemies with rifles and other munitions of war, and states the intention to apply to Parliament for the furtherance of this design. He gives to the United States the assurance that he will do in their favor not only "everything that the law of nations requires, everything that the present foreign enlistment act requires," but that he will ask the sanction of Parliament "to further measures that Her Majesty's ministers may still add." This language is so unmistakably an official exposition of the policy adopted by the British Government in relation to our affairs that the duty imposed on me by the Constitution of giving you, from time to time, "information of the state of the Confederacy," would not have been performed if I had failed to place it distinctly before you.

I refer you for fuller details on this whole subject to the correspondence of the State Department which accompanies this message. The facts which I have briefly narrated are, I trust, sufficient to enable you to appreciate the true nature of the neutrality professed in this war. It is not in my power to apprise you to what extent the Government of France shares the views so unreservedly avowed by that of Great Britain, no published correspondence of the French Government on the subject having been received. No public protest nor opposition, however, has been made by His Imperial Majesty against the prohibition to trade with us imposed on French citizens by the paper blockade of the United States, although I have reason to believe that an unsuccessful attempt was made on his part to secure the assent of the British Government to a course of action more consonant with the dictates of public law and with the demands of justice toward us.

The partiality of Her Majesty's Government in favor of our enemies has been further evinced in the marked difference of its conduct on the subject of the purchase of supplies by the two belligerents. This difference has been conspicuous since the very commencement of the war. As early as the 1st of May, 1861, the British minister in Washington was informed by the Secretary of State of the United States that he had sent agents to England, and that others would go to France to purchase arms; and this fact was communicated to the British Foreign Office, which interposed no objection. Yet in October of the same year Earl Russell entertained the complaint of the United States minister in London that the Confederate States were importing contraband of war from the island of Nassau, directed inquiry into the matter, and obtained a report from the authorities of the island denying the allegations, which report was inclosed to Mr. Adams and received by him as satisfactory evidence to dissipate "the suspicion naturally thrown upon the authorities of Nassau by that unwarrantable act." So, too, when the Confederate Government purchased in Great Britain, as a neutral country (and with strict observance both of the law of nations and the municipal law of Great Britain), vessels which were subsequently armed and commissioned as vessels of war, after they had been far removed from English waters, the British Government, in violation of its own laws and in deference to the importunate demands of the United States, made an ineffectual attempt to seize one vessel, and did actually seize and detain another which touched at the island of Nassau on her way to a Confederate port, and subjected her to an unfounded prosecution at the very time when cargoes of munitions of war were being openly shipped from British ports to New York, to be used in warfare against us. Even now the public journals bring intelligence that the British Government has ordered the seizure in a British port of two vessels, on the suspicion that they may have been sold to this Government and that they may be hereafter armed and equipped in our service, while British subjects are engaged in Ireland by tens of thousands to proceed to the United States for warfare against the Confederacy, in defiance both of the law of nations and of the express terms of the British statutes, and are transported in British ships, without an effort at concealment, to the ports of the United States, there to be armed with rifles imported from Great Britain and to be employed against our people in a war for conquest. No royal prerogative is invoked, no executive interference is interposed against this flagrant breach of municipal and international law on the part of

our enemies, while strained constructions are placed on existing statutes, new enactments proposed, and questionable expedients devised for precluding the possibility of purchase by this Government of vessels that are useless for belligerent purposes, unless hereafter armed and equipped outside of the neutral jurisdiction of Great Britain.

For nearly three years this Government has exercised unquestioned jurisdiction over many millions of willing and united people. It has met and defeated vast armies of invaders, who have in vain sought its subversion. Supported by the confidence and affection of its citizens, the Confederacy has lacked no element which distinguishes an independent nation according to the principles of public law. Its legislative, executive, and judicial departments, each in its sphere, have performed their appropriate functions with a regularity as undisturbed as in a time of profound peace, and the whole energies of the people have been developed in the organization of vast armies, while their rights and liberties have rested secure under the protection of the courts of justice. This Confederacy is either independent or it is a dependency of the United States, for no other earthly power claims the right to govern it. Without one historic fact on which the pretension can rest, without one line or word of treaty or covenant which can give color to title, the United States have asserted and the British Government has chosen to concede, that these sovereign States are dependencies of the Government which is administered at Washington. Great Britain has accordingly entertained with that Government the closest and most intimate relations, while refusing, on its demands, ordinary amicable intercourse with us, and has, under arrangements made with the other nations of Europe, not only denied our just claim of admission into the family of nations, but interposed a passive though effectual bar to the acknowledgment of our rights by other powers. So soon as it had become apparent by the declarations of the British ministers in the debates of the British Parliament in July last that Her Majesty's Government was determined to persist indefinitely in a course of policy which under professions of neutrality had become subservient to the designs of our enemy, I felt it my duty to recall the commissioner formerly accredited to that Court, and the correspondence on the subject is submitted to you.

It is due to you and to our country that this full statement should be made of the just grounds which exist for dissatisfaction with the conduct of the British Government. I am well aware that we are unfortunately without adequate remedy for the injustice under which we have suffered at the hands of a powerful nation, at a juncture when our entire resources are absorbed in the defense of our lives, liberties, and independence, against an enemy possessed of greatly superior numbers and material resources. Claiming no favor, desiring no aid, conscious of our own ability to defend our own rights against the utmost efforts of an infuriate foe, we had thought it not extravagant to expect that assistance would be withheld from our enemies, and that the conduct of foreign nations would be marked by a genuine impartiality between the belligerents. It was not supposed that a professed neutrality would be so conducted as to justify the foreign secretary of the British nation in explaining, in correspondence with our enemies, how "the impartial observance of neutral obligations by Her Majesty's Government has thus been exceedingly advantageous to the cause of the more powerful of the two contending parties." The British Government may deem this war a favorable

occasion for establishing, by the temporary sacrifice of their neutral rights, a precedent which shall justify the future exercise of those extreme belligerent pretensions that their naval power renders so formidable. The opportunity for obtaining the tacit assent of European governments to a line of conduct which ignores the obligations of the declaration of Paris, and treats that instrument rather as a theoretical exposition of principle than a binding agreement, may be considered by the British ministry as justifying them in seeking a great advantage for their own country at the expense of ours. But we cannot permit, without protest, the assertion that international law or morals regard as "impartial neutrality" the conduct avowed to be "exceedingly advantageous" to one of the belligerents.

I have stated that we are without adequate remedy against the injustice under which we suffer. There are but two measures that seem applicable to the present condition of our relations with neutral powers. One is to imitate the wrong of which we complain, to retaliate by the declaration of a paper blockade of the coast of the United States, and to capture all neutral vessels trading with their ports that our cruisers can intercept on the high seas. This measure I cannot recommend. It is true that in so doing we should but follow the precedents set by Great Britain and France in the Berlin and Milan decrees, and the British orders in council at the beginning of the present century. But it must be remembered that we ourselves protested against those very measures as signal violations of the law of nations, and declared the attempts to excuse them on the ground of their being retaliatory utterly insufficient. Those blockades are now quoted by writers on public law as a standing reproach on the good name of the nations who were betrayed by temporary exasperation into wrong-doing, and ought to be regarded rather as errors to be avoided than as examples to be followed.

The other measure is not open to this objection. The second article of the declaration of Paris, which provides "that the neutral flag covers enemy's goods, with the exception of contraband of war," was a new concession by belligerents in favor of neutrals, and not simply the enunciation of an acknowledged pre-existing rule like the fourth article, which referred to blockades. To this concession we bound ourselves by the convention with Great Britain and France, which took the shape of the resolutions adopted by your predecessors on the 13th of August, 1861. The consideration tendered us for that concession has been withheld. We have therefore the undeniable right to refuse longer to remain bound by a compact which the other party refuses to fulfill. But we should not forget that war is but temporary, and that we desire that peace shall be permanent. The future policy of the Confederacy must ever be to uphold neutral rights to their full extent. The principles of the declaration of Paris commend themselves to our judgment as more just, more humane, and more consonant with modern civilization than those belligerent pretensions which great naval powers have heretofore sought to introduce into the maritime code. To forego our undeniable right to the exercise of those pretensions is a policy higher, worthier of us and of our cause, than to revoke our adherence to principles that we approve. Let our hope for redress rest rather on a returning sense of justice which cannot fail to awaken a great people to the consciousness that the war in which we are engaged ought rather to be made a reason for forbearance of advantage than an occasion for the unfriendly conduct of which we make just complaint.

The events of the last year have produced important changes in the condition of our Southern neighbor. The occupation of the capital of Mexico by the French army, and the establishment of a provisional government, followed by a radical change in the constitution of the country, have excited lively interest. Although preferring our own Government and institutions to those of other countries, we can have no disposition to contest the exercise by them of the same right of self-government which we assert for ourselves. If the Mexican people prefer a monarchy to a republic, it is our plain duty cheerfully to acquiesce in their decision and to evince a sincere and friendly interest in their prosperity. If, however, the Mexicans prefer maintaining their former institutions we have no reason to apprehend any obstacle to the free exercise of their choice. The Emperor of the French has solemnly disclaimed any purpose to impose on Mexico a form of government not acceptable to the nation; and the eminent personage to whom the throne has been tendered declines its acceptance unless the offer be sanctioned by the suffrages of the people. In either event, therefore, we may confidently expect the continuance of those peaceful relations which have been maintained on the frontier, and even a large development of the commerce already existing to the mutual advantage of the two countries.

It has been found necessary since your adjournment to take action on the subject of certain foreign consuls within the Confederacy. The nature of this action and the reasons on which it was based are so fully exhibited in the correspondence of the State Department, which is transmitted to you, that no additional comment is required.

In connection with this subject of our relations with foreign countries, it is deemed opportune to communicate my views in reference to the treaties made by the Government of the United States at a date anterior to our separation, and which were consequently binding on us as well as on foreign powers when the separation took effect. It was partly with a view to entering into such arrangements as the change in our government had made necessary that we felt it our duty to send commissioners abroad for the purpose of entering into the negotiations proper to fix the relative rights and obligations of the parties to those treaties. As this tender on our part has been declined; as foreign nations have refused us the benefit of the treaties to which we were parties, they certainly have ceased to be binding on us, and in my opinion our relations with European nations are therefore now controlled exclusively by the general rules of the law of nations. It is proper to add that these remarks are intended to apply solely to treaty obligations toward foreign governments, and have no reference to rights of individuals.

FINANCES.

The state of the public finances is such as to demand your earliest and most earnest attention. I need hardly say that a prompt and efficacious remedy for the present condition of the currency is necessary for the successful performance of the functions of government. Fortunately the resources of our country are so ample and the spirit of our people so devoted to its cause that they are ready to make any necessary contribution. Relief is thus entirely within our reach if we have the wisdom to legislate in such manner as to render available the means at our disposal.

At the commencement of the war we were far from anticipating the magnitude and duration of the struggle in which we were engaged.

The most sagacious foresight could not have predicted that the passions of the Northern people would lead them blindly to the sacrifice of life, treasure, and liberty in so vain a hope as that of subjugating thirteen independent States inhabited by many millions of people whose birthright of freedom is dearer to them than life. A long exemption from direct taxation by the General Government had created an aversion to its raising revenue by any other means than by duties on imports, and it was supposed that these duties would be ample for current peace expenditure, while the means for conducting the war could be raised almost exclusively by the use of the public credit.

The first action of the Provisional Congress was therefore confined to passing a tariff law, and to raising a sum of $15,000,000 by loan, with a pledge of a small export duty on cotton to provide for the redemption of the debt. At its second session war was declared to exist between the Confederacy and the United States, and provision was made for the issue of $20,000,000 in Treasury notes, and for borrowing $30,000,000 on bonds. The tariff was revised and preparatory measures taken to enable Congress to levy internal taxation at its succeeding session. These laws were passed in May, and the States of Virginia, North Carolina, Tennessee, and Arkansas having joined the Confederacy, the Congress adjourned to meet in the city of Richmond in the following month of July.

Prior to the assembling of your predecessors in Richmond at their third session, near the end of July, 1861, the President of the United States had developed in his message the purpose "to make the contest a short and a decisive one," and had called on Congress for 400,000 men and $400,000,000. The Congress had exceeded the Executive recommendation, and had authorized the levy of half a million of volunteers, besides largely increasing the regular land and naval forces of the United States. The necessity thus first became urgent that a financial scheme should be devised on a basis sufficiently large for the vast proportions of the contest with which we were threatened. Knowing that the struggle, instead of being "short and decisive," would be indefinite in duration, and could only end when the United States should awaken from their delusion of conquest, a permanent system was required, fully adapted to the great exigencies before us.

The plan devised by Congress at that time was based on the theory of issuing Treasury notes convertible at the pleasure of the holder into 8 per cent. bonds, the interest of which was to be payable in coin, and it was correctly assumed that any tendency to depreciation that might arise from overissue of the currency would be checked by the constant exercise of the holder's right to fund the notes at a liberal interest payable in specie. This system depended for success on the continued ability of Government to pay the interest in specie, and means were therefore provided for that purpose in the law authorizing the issues. An internal tax, termed a war tax, was levied, the proceeds of which, together with the revenue from imports, were deemed sufficient for the object designed. This scheme required for its operation that our commerce with foreign nations should not be suspended. It was not to be anticipated that such suspension would be permitted otherwise than by an effective blockade; and it was absurd to suppose that a blockade "sufficient really to prevent access" to our entire coast could be maintained.

We had the means, therefore (if neutral nations had not combined to aid our enemies by the sanction of an illegal prohibition on their commerce), to secure the receipt into the Treasury of coin sufficient to

pay the interest on the bonds, and thus maintain the Treasury notes at rates nearly equal to par in specie. So long as the interest continued to be thus paid with the reserve of coin pre-existing in our country, experience sustained the expectations of those who devised the system. Thus, on the 1st of the following December coin had only reached a premium of about 20 per cent., although it had already become apparent that the commerce of the country was threatened with permanent suspension by reason of the conduct of neutral nations, and that the necessary result must be the exhaustion of our specie reserve. Wheat in the beginning of the year 1862 was selling at $1.30 per bushel, not exceeding therefore its average price in time of peace. The other agricultural products of the country were at similar moderate rates, thus indicating that there was no excess of circulation, and that the rate of premium on specie was heightened by the exceptional causes which tended to its exhaustion without the possibility of renewing the supply.

This review of the policy of your predecessors is given in justice to them, and it exhibits the condition of the finances at the date when the permanent government was organized.

In the meantime the popular aversion to internal taxation by the General Government had influenced the legislation of the several States, and in only three of them, South Carolina, Mississippi, and Texas, were the taxes actually collected from the people. The quotas devolving upon the remaining States had been raised by the issue of bonds and State treasury notes, and the public debt of the country was thus actually increased instead of being diminished by the taxation imposed by Congress.

Neither at the first nor second session of the present Congress were means provided by taxation for maintaining the Government, the legislation being confined to authorizing further sales of bonds and issues of Treasury notes. Although repeated efforts were made to frame a proper system of taxation, you were confronted with an obstacle which did not exist for your predecessors, and which created grave embarrassment in devising any scheme of taxation. About two-thirds of the entire taxable property of the Confederate States consist of lands and slaves. The general power of taxation vested in Congress by the provisional constitution (which was to be only temporary in its operation) was not restricted by any other condition than that "all duties, imposts, and excises should be uniform throughout the States of the Confederacy." But the permanent Constitution, sanctioning the principle that taxation and representation ought to rest on the same basis, specially provides that "representatives and direct taxes shall be apportioned among the several States according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all slaves."

It was further ordered that a census should be made within three years after the first meeting of Congress, and that "no capitation or other direct tax shall be laid unless in proportion to the census or enumeration hereinbefore directed to be taken."

It is plain that under these provisions capitation and direct taxes must be levied in proportion to the census when made. It is also plain that the duty is imposed on Congress to provide for making a census prior to the 22d of February, 1865. It may further be stated that according to the received construction of the Constitution of the

United States (a construction acquiesced in for upward of sixty years) taxes on lands and slaves are direct taxes, and the conclusion seems necessarily to be that, in repeating without modification in our Constitution this language of the Constitution of 1787, our convention intended to attach to it the meaning which had been sanctioned by long and uninterrupted acquiescence.

So long as there seemed to be a probability of being able to carry out these provisions of the Constitution in their entirety and in conformity with the intentions of its authors there was an obvious difficulty in framing any system of taxation. A law which should exempt from the burden two-thirds of the property of the country would be as unfair to the owners of the remaining third as it would be inadequate to meet the requirements of the public service.

The urgency of the need was such, however, that after very great embarrassment and more than three months of assiduous labor you succeeded in framing the law of the 24th April, 1863, by which you sought to reach, so far as was practicable, every resource of the country except the capital invested in real estate and slaves, and by means of an income tax and a tax in kind on the produce of the soil, as well as by licenses on business occupations and professions, to command resources sufficient for the wants of the country. But a very large proportion of these resources could only be made available at the close of the present and the commencement of the ensuing year, while the intervening exigencies permitted no delay. In this state of affairs, superinduced almost unavoidably by the fortunes of the war in which we are engaged, the issues of Treasury notes have been increased until the currency in circulation amounts to more than $600,000,000, or more than threefold the amount required by the business of the country.

I need not enlarge upon the evil effects of this condition of things. They are unfortunately but too apparent. In addition to the difficulty presented to the necessary operations of the Government and the efficient conduct of the war, the most deplorable of all its results is undoubtedly its corrupting influence on the morals of the people. The possession of large amounts of Treasury notes has naturally led to a desire for investment, and with a constantly increasing volume of currency there has been an equally constant increase of price in all objects of investment. This effect has stimulated purchase by the apparent certainty of profit, and a spirit of speculation has thus been fostered which has so debasing an influence and such ruinous consequences that it is our highest duty to remove the cause, and no measures directed to that end can be too prompt or too stringent.

Reverting to the constitutional provisions already cited, the question recurs whether it be possible to execute the duty of apportioning taxation in accordance with the census ordered to be made as a basis. So long as this appeared to be practicable, none can deny the propriety of your course in abstaining from the imposition of direct taxes till you could exercise the power in the precise mode pointed out by the terms of the fundamental law. But it is obvious that there are many duties imposed by the Constitution which depend for their fulfillment on the undisturbed possession of the territory within which they are to be performed. The same instrument which orders a census to be made in all the States imposes the duty on the Confederacy "to guarantee to every State a republican form of government." It enjoins on us "to protect each State from invasion," and while declaring that its great objects and purposes are "to establish justice, insure domestic tranquillity, and secure the blessings of liberty to

ourselves and our posterity," it confers the means and thereby imposes on us the paramount duty of effecting its intent by "laying and collecting taxes, imposts, and excises necessary to pay the debts, provide for the common defense, and carry on the Government of the Confederate States."

None would pretend that the Constitution is violated because, by reason of the presence of hostile armies, we are unable to guarantee a republican form of government to these States or portions of States now temporarily held by the enemy, and as little justice would there be in imputing blame for the failure to make the census when that failure is attributable to causes not foreseen by the authors of the Constitution and beyond our control. The general intent of our constitutional charter is unquestionably that the property of the country is to be taxed in order to raise revenue for the common defense, and the special mode provided for levying this tax is impracticable from unforeseen causes. It is in my judgment our primary duty to execute the general intent expressed by the terms of the instrument which we have sworn to obey, and we cannot excuse ourselves for the failure to fulfill this obligation on the ground that we are unable to perform it in the precise mode pointed out. Whenever it shall be possible to execute our duty in all its parts we must do so in exact compliance with the whole letter and spirit of the Constitution. Until that period shall arrive we must execute so much of it as our condition renders practicable. Whenever the withdrawal of the enemy shall place it in our power to make a census and apportionment of direct taxes, any other mode of levying them will be contrary to the will of the lawgiver, and incompatible with our obligation to obey that will; until that period the alternative left is to obey the paramount precept and to execute it according to the only other rule provided, which is to "make the tax uniform throughout the Confederate States."

The considerations just presented are greatly enforced by the reflection that any attempt to apportion taxes amongst States, some of which are wholly or partially in the occupation of hostile forces, would subvert the whole intention of the framers of the Constitution, and be productive of the most revolting injustice instead of that just correlation between taxation and representation which it was their purpose to secure. With large portions of some of the States occupied by the enemy, what justice would there be in imposing on the remainder the whole amount of the taxation of the entire State in proportion to its representation? What else would this be in effect than to increase the burthen of those who are the heaviest sufferers by the war, and to make our own inability to protect them from invasion, as we are required to do by the Constitution, the ground for adding to their losses by an attempted adherence to the letter, in violation of the spirit of that instrument? No such purpose could have been entertained and no such result contemplated by the framers of the Constitution. It may add weight to these considerations if we reflect that although the Constitution provided that it should go into operation with a representation temporarily distributed among the States, it expressly ordains, after providing for a census within three years, that this temporary distribution of representative power is to endure "until *such* enumeration shall be made." Would any one argue that because the census cannot be made within the fixed period the Government must at the expiration of that period perish for want of a representative body? In any aspect in which the subject can be viewed I am led to the conclusion already announced,

and which is understood to be in accordance with a vote taken in one or both Houses at your last session. I shall, therefore, until we are able to pursue the precise mode required by the Constitution, deem it my duty to approve any law levying the taxation which you are bound to impose for the defense of the country in any other practicable mode which shall distribute the burthen uniformly and impartially on the whole property of the people.

In your former legislation you have sought to avoid the increase in the volume of notes in circulation by offering inducements to voluntary funding. The measures adopted for that purpose have been but partially successful, and the evil has now reached such a magnitude as to permit no other remedy than the compulsory reduction of the currency to the amount required by the business of the country. This reduction should be accompanied by a pledge that under no stress of circumstances will that amount be exceeded. No possible mode of using the credit of the Government can be so disastrous as one which disturbs the basis of all exchanges, renders impossible all calculations of future values, augments, in constantly increasing proportions, the price of all commodities, and so depreciates all fixed wages, salaries, and incomes as to render them inadequate to bare subsistence. If to these be added the still more fatal influence on the morals and character of the people, to which I have already adverted, I am persuaded you will concur in the conclusion that an inflexible adherence to a limitation of the currency at a fixed sum is an indispensable element of any system of finance now to be adopted.

The holders of the currency now outstanding can only be protected in the recovery of their just claims by substituting for their notes some other security. If the currency is not greatly and promptly reduced the present scale of inflated prices will not only continue to exist, but by the very fact of the large amounts thus made requisite in the conduct of the war, those prices will reach rates still more extravagant, and the whole system will fall under its own weight, thus rendering the redemption of the debt impossible, and destroying its whole value in the hands of the holder. If, on the contrary, a funded debt, with interest secured by adequate taxation, can be substituted for the outstanding currency its entire amount will be made available to the holder, and the Government will be in a condition enabling it, beyond the reach of any probable contingency, to prosecute the war to a successful issue. It is therefore demanded, as well by the interest of the creditor as of the country at large, that the evidences of the public debt now outstanding in the shape of Treasury notes be converted into bonds bearing adequate interest, with a provision for taxation sufficient to insure punctual payment and final redemption of the whole debt.

The report of the Secretary of the Treasury presents the outlines of a system which, in conjunction with existing legislation, is intended to secure the several objects of a reduction of the circulation within fixed, reasonable limits; of providing for the future wants of the Government; of furnishing security for the punctual payment of interest and final extinction of the principal of the public debt, and of placing the whole business of the country on a basis as near a specie standard as is possible during the continuance of the war. I earnestly recommend it to your consideration, and that no delay be permitted to intervene before your action on this vital subject. I trust that it will be suffered to engross your attention until you shall have disposed of it in the manner best adapted to attain the important results which your country anticipates from your legislation.

It may be added that in considering this subject the people ought steadily to keep in view that the Government in contracting debt is but their agent; that its debt is their debt. As the currency is held exclusively by ourselves, it is obvious that if each person held Treasury notes in exact proportion to the value of his own means, each would in fact owe himself the amount of the notes held by him, and were it possible to distribute the currency among the people in this exact proportion, a tax levied on the currency alone, to an amount sufficient to reduce it to proper limits, would afford the best of all remedies. Under such circumstances the notes remaining in the hands of each holder after the payment of his tax would be worth quite as much as the whole sum previously held, for it would purchase at least an equal amount of commodities. This result cannot be perfectly attained by any device of legislation, but it can be approximated by taxation. A tax on all values has for its effect not only to impose a due share of the burden on the note holder, but to force those who have few or none of the notes to part with a share of their possessions to those who hold the notes in excess in order to obtain the means of satisfying the demands of the tax-gatherer. This is the only mode by which it is practicable to make all contribute as equally as possible in the burden which all are bound to share, and it is for this reason that taxation adequate to the public exigencies, under our present circumstances, must be the basis of any funding system or other remedy for restoring stability to our finances.

THE ARMY.

To the report of the Secretary of War you are referred for details relative to the condition of the Army and the measures of legislation required for maintaining its efficiency, recruiting its numbers, and furnishing the supplies necessary for its support.*

Though we have lost many of the best of our soldiers and most patriotic of our citizens (the sad but unavoidable result of the battles and toils of such a campaign as that which will render the year 1863 ever memorable in our annals), the Army is believed to be in all respects in better condition than at any previous period of the war. Our gallant defenders, now veterans, familiar with danger, hardened by exposure, and confident in themselves and their officers, endure privations with cheerful fortitude and welcome battle with alacrity. The officers, by experience in field service and the action of examining boards in relieving the incompetent, are now greatly more efficient than at the commencement of the war. The assertion is believed to be fully justified that, regarded as a whole, for character, valor, efficiency, and patriotic devotion, our Army has not been equalled by any like number of troops in the history of war.

In view of the large conscription recently ordered by the enemy and their subsequent call for volunteers, to be followed if ineffectual by a still further draft, we are admonished that no effort must be spared to add largely to our effective force as promptly as possible. The sources of supply are to be found by restoring to the Army all who are improperly absent, putting an end to substitution, modifying the exemption law, restricting details, and placing in the ranks such of the able-bodied men now employed as wagoners, nurses, cooks, and other employés as are doing service for which the negroes may be found competent.

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* See p. 990.

The act of 16th of April, 1862, provides "that persons not liable for duty may be received as substitutes for those who are, under such regulations as may be prescribed by the Secretary of War." The policy of granting this privilege has not been sustained by experience. Not only has the numerical strength of the Army been seriously impaired by the frequent desertions for which substitutes have become notorious, but dissatisfaction has been excited among those who have been unable or unwilling to avail themselves of the opportunity thus afforded of avoiding the military service of their country.

I fully concur in the opinion expressed by the Secretary that there is no ground for the objection that a new provision to include those who furnished substitutes under the former call would be a breach of contract. To accept a substitute was to confer a privilege, not to enter into a contract, and whenever the substitute is rendered liable to conscription, it would seem to follow that the principal, whose place he had taken, should respond for him, as the Government had received no consideration for his exemption. Where, however, the new provision of law would fail to embrace a substitute now in the ranks, there appears, if the principal should again be conscribed, to be an equitable ground for compensation to the conscript, who then would have added to the service a soldier not otherwise liable to enrollment.

On the subject of exemptions, it is believed that abuses cannot be checked unless the system is placed on a basis entirely different from that now provided by law. The object of your legislation has been not to confer privileges on classes, but to exonerate from military duty such number of persons skilled in the various trades, professions, and mechanical pursuits as could render more valuable service to their country by laboring in their present occupation than by going into the ranks of the Army. The policy is unquestionable, but the result would, it is thought, be better obtained by enrolling all such persons and allowing details to be made of the number necessary to meet the wants of the country. Considerable numbers are believed to be now exempted from the military service who are not needful to the public in their civil vocation.

Certain duties are now performed throughout the country by details from the Army which could be as well executed by persons above the present conscript age. An extension of the limit so as to embrace persons over forty-five years and physically fit for service in guarding posts, railroads, and bridges, in apprehending deserters, and, where practicable, assuming the place of younger men detailed for duty with the Niter, Ordnance, Commissary, and Quartermaster's Bureaus of the War Department, would, it is hoped, add largely to the effective force in the field without an undue burden on the population.

If to the above measures be added a law to enlarge the policy of the act of the 21st of April, 1862, so as to enable the Department to replace not only enlisted cooks, but wagoners and other employés in the Army, by negroes, it is hoped that the ranks of the Army will be so strengthened for the ensuing campaign as to put to defiance the utmost efforts of the enemy.

In order to maintain unimpaired the existing organization of the Army until the close of the war, your legislation contemplated a frequent supply of recruits, and it was expected that before the expiration of the three years for which the men were enrolled under act of 16th of April, 1862, the majority of men in each company would

consist of those who joined it at different dates subsequent to the original muster of the company into service, and that the discharge of those who had completed their term would at no time be sufficient to leave the company with a less number than is required to enable it to retain its organization. The difficulty of obtaining recruits from certain localities and the large number of exemptions from military service granted by different laws have prevented sufficient accessions in many of the companies to preserve their organizations after the discharge of the original members. The advantage of retaining tried and well-approved officers and of mingling recruits with experienced soldiers is so obvious and the policy of such a course is so clearly indicated that it is not deemed necessary to point out the evil consequences which would result from the destruction of the old organizations, or to dwell upon the benefits to be secured from filling up the veteran companies as long before the discharge of the earlier members as may be possible. In the cases where it may be found impracticable to maintain regiments in sufficient strength as to justify the retention of the present organization, economy and efficiency would be promoted by consolidation and reorganization. This would involve the necessity of disbanding a part of the officers and making regulations for securing the most judicious selection of those who are retained, while least wounding the feelings of those who are discharged.

Experience has shown the necessity for further legislation in relation to the horses of the cavalry. Many men lose their horses by casualties of service which are not included in the provisions made to compensate the owner for the loss, and it may thus not unfrequently happen that the most efficient troopers, without fault of their own—indeed, it may be because of their zeal and activity—are lost to the cavalry service.

It would also seem proper that the Government should have complete control over every horse mustered into service, with the limitation that the owner should not be deprived of his horse except upon due compensation being made therefor. Otherwise mounted men may not keep horses fit for the service, and the question whether they should serve mounted or on foot would depend not upon the qualifications of the men, but upon the fact of their having horses.

Some provision is deemed requisite to correct the evils arising from the long-continued absence of commissioned officers. Where it is without sufficient cause, it would seem but just that the commission should be thereby vacated. Where it results from capture by the enemy, which under their barbarous refusal to exchange prisoners of war may be regarded as absence for an indefinite time, there is a necessity to supply their places in their respective commands. This might be done by temporary appointments to endure only until the return of the officers regularly commissioned. Where it results from permanent disability incurred in the line of their duty it would be proper to retire them and fill the vacancies according to established mode. I would also suggest the organization of an invalid corps, and that the retired officers be transferred to it. Such a corps, it is thought, could be made useful in various employments for which efficient officers and troops are now detached.

An organization of the general staff of the Army would be highly conducive to the efficiency of that most important branch of the service. The plan adopted for the military establishment furnishes

a model for the staff of the Provisional Army, if it be deemed advisable to retain the distinction; but I recommend to your consideration the propriety of abolishing it and providing for the organization of the several staff corps in such number and with such rank as will meet all the wants of the service. To secure the requisite ability for the more important positions it will be necessary to provide for officers of higher rank than is now authorized for these corps. To give to the officers the proper relation and co-intelligence in their respective corps, and to preserve in the chief of each the influence and control over his subordinates, there should be no gradation on the basis of the rank of the general with whom they might be serving by appointment. To the personal staff of a general it would seem proper to give a grade corresponding with his rank, and the number might be fixed to correspond with his command. To avoid the consequence of discharge upon a change of duty the variable portion of the personal staff might be taken from the line of the Army and allowed to retain their line commissions.

The disordered condition of the currency, to which I have already alluded, has imposed on the Government a system of supplying the wants of the Army which is so unequal in its operation, vexatious to the producer, injurious to the industrial interest, and productive of such discontent among the people as only to be justified by the existence of an absolute necessity. The report of the Secretary on this point establishes conclusively that the necessity which has forced the bureaus of supply to provide for the Army by impressment has resulted from the impossibility of purchase by contract or in the open market, except at such rapidly increased rates as would have rendered the appropriations inadequate to the wants of the Army. Indeed, it is believed that the temptation to hoard supplies for the higher prices which could be anticipated with certainty has been checked mainly by the fear of the operation of the impressment law, and that commodities have been offered in the markets principally to escape impressment and obtain higher rates than those fixed by appraisement. The complaints against this vicious system have been well founded, but the true cause of the evil has been misapprehended. The remedy is to be found not in a change of the impressment law, but in the restoration of the currency to such a basis as will enable the Department to purchase necessary supplies in the open market, and thus render impressment a rare and exceptional process.

The same remedy will effect the result universally desired of an augmentation of the pay of the Army. The proposals made at your previous sessions to increase the pay of the soldier by an additional amount of Treasury notes would have conferred little benefit on him, but a radical reform of the currency will restore the pay to a value approximating that which it originally had and materially improve his condition.

The reports from the Ordnance and Mining Bureaus are very gratifying, and the extension of our means of supply of arms and munitions of war from our home resources has been such as to insure our ability soon to become mainly, if not entirely, independent of supplies from foreign countries. The establishments for the casting of guns and projectiles, for the manufacture of small-arms and of gunpowder, for the supply of niter from artificial niter beds, and mining operations generally, have been so distributed through the country as to place our resources beyond the reach of partial disasters.

The recommendations of the Secretary of War on other points are minutely detailed in his report,* which is submitted to you, and extending as they do to almost every branch of the service, merit careful consideration.

EXCHANGE OF PRISONERS.

I regret to inform you that the enemy have returned to the barbarous policy with which they inaugurated the war, and that the exchange of prisoners has been for some time suspended. The correspondence of the commissioners of exchange is submitted to you by the Secretary of War, and it has already been published for the information of all now suffering useless imprisonment.† The conduct of the authorities of the United States has been consistently perfidious on this subject. An agreement for exchange in the incipiency of the war had just been concluded when the fall of Fort Donelson reversed the previous state of things and gave them an excess of prisoners. The agreement was immediately repudiated by them and so remained until the fortune of war again placed us in possession of the larger number. A new cartel was then made and under it, for many months, we restored to them many thousands of prisoners in excess of those whom they held for exchange, and encampments of the surplus paroled prisoners delivered up by us were established in the United States, where the men were able to receive the comforts and solace of constant communication with their homes and families. In July last the fortune of war again favored the enemy, and they were enabled to exchange for duty the men previously delivered to them against those captured and paroled at Vicksburg and Port Hudson. The prisoners taken at Gettysburg, however, remained in their hands, and should have been at once returned to our lines on parole, to await exchange. Instead of executing a duty imposed by the plainest dictates of justice and good faith, pretexts were instantly sought for holding them in permanent captivity. General orders rapidly succeeded each other from the bureaus at Washington, placing new constructions on an agreement which had given rise to no dispute while we retained the advantage in the number of prisoners. With a disregard of honorable obligations almost unexampled the enemy did not hesitate, in addition to retaining the prisoners captured by them, to declare null the paroles given by the prisoners captured by us in the same series of engagements and liberated on condition of not again serving until exchanged. They have since openly insisted on treating the paroles given by their own soldiers as invalid, and those of our soldiers, given under precisely similar circumstances, as binding. A succession of similar unjust pretensions has been set up in a correspondence tediously prolonged, and every device employed to cover the disregard of an obligation which, between belligerent nations, is only to be enforced by a sense of honor.

No further comment is needed on this subject, but it may be permitted to direct your special attention to the close of the correspondence submitted to you, from which you will perceive that the final proposal made by the enemy, in settlement of all disputes under the cartel, is that we should liberate all prisoners held by us without the offer to release from captivity any of those held by them.

In the meantime a systematic and concerted effort has been made to quiet the complaints in the United States of those relatives and

*See p. 990. †See Series II, Vol. VI, p. 654.

friends of the prisoners in our hands, who are unable to understand why the cartel is not executed in their favor, by the groundless assertion that we are the parties who refuse compliance. Attempts are also made to shield themselves from the execration excited by their own odious treatment of our officers and soldiers, now captive in their hands, by misstatements, such as that the prisoners held by us are deprived of food. To this last accusation the conclusive answer has been made that in accordance with our law and the general orders of the Department the rations of the prisoners are precisely the same, in quantity and quality, as those served out to our own gallant soldiers in the field, and which have been found sufficient to support them in their arduous campaigns, while it is not pretended by the enemy that they treat prisoners by the same generous rule. By an indulgence, perhaps unprecedented, we have even allowed the prisoners in our hands to be supplied by their friends at home with comforts not enjoyed by the men who captured them in battle. In contrast to this treatment the most revolting inhumanity has characterized the conduct of the United States toward prisoners held by them. One prominent fact, which admits no denial nor palliation, must suffice as a test. The officers of our Army, natives of southern and semi-tropical climates, and unprepared for the cold of a northern winter, have been conveyed for imprisonment during the rigors of the present season, to the most northern and exposed situation that could be selected by the enemy. There, beyond the reach of comforts, and often even of news from home and family, exposed to the piercing cold of the northern lakes, they are held by men who cannot be ignorant of, even if they do not design, the probable result. How many of our unfortunate friends and comrades, who have passed unscathed through numerous battles, will perish on Johnson's Island, under the cruel trial to which they are subjected, none but the Omniscient can foretell. That they will endure this barbarous treatment with the same stern fortitude that they have ever evinced in their country's service we cannot doubt. But who can be found to believe the assertion that it is our refusal to execute the cartel, and not the malignity of the foe, which has caused the infliction of such intolerable cruelty on our own loved and honored defenders?

TRANS-MISSISSIPPI DEPARTMENT.

Regular and punctual communication with the Trans-Mississippi is so obstructed as to render difficult a compliance with much of the legislation vesting authority in the Executive branch of the Government. To supply vacancies in office; to exercise discretion on certain matters connected with the military organizations; to control the distribution of the funds collected from taxation or remitted from the Treasury; to carry on the operations of the Post-Office Department, and other like duties, require, under the Constitution and existing laws, the action of the President and heads of departments. The necessities of the military service frequently forbid delay, and some legislation is required providing for the exercise of temporary authority until regular action can be had at the seat of government. I would suggest, especially in the Post-Office Department, that an assistant be provided for the States beyond the Mississippi, with authority in the head of that Department to vest in this assistant all such powers now exercised by the Postmaster-General as may be requisite for provisional control of the funds of the Department in

those States and their application to the payment of mail contractors; for superintendence of the local post-offices and the contracts for carrying the mail; for the temporary employment of proper persons to fulfill the duties of postmasters and contractors in urgent cases, until appointments can be made, and for other like purposes. Without some legislative provision on the subject there is serious risk of the destruction of the mail service by reason of the delays and hardships suffered by contractors under the present system, which requires constant reference to Richmond of their accounts, as well as of the returns of the local postmasters, before they can receive payment for services rendered. Like provision is also necessary in the Treasury Department, while for military affairs it would seem to be sufficient to authorize the President and Secretary of War to delegate to the commanding general so much of the discretionary powers vested in them by law as the exigencies of the service shall require.

NAVY.

The report of the Secretary of the Navy gives in detail the operations of that Department since January last, embracing information of the disposition and employment of the vessels, officers, and men, and the construction of vessels at Richmond, Wilmington, Charleston, Savannah, Mobile, Selma, and on the rivers Roanoke, Neuse, Pedee, Chattahoochee, and Tombigbee; the accumulation of ship-timber and supplies, and the manufacture of ordnance, ordnance stores, and equipments. The foundries and workshops have been greatly improved, and their capacity to supply all demands for heavy ordnance for coast and harbor defenses is only limited by our deficiency in the requisite skilled labor. The want of such labor and of seamen seriously affects the operations of the Department.

The skill, courage, and activity of our cruisers at sea cannot be too highly commended. They have inflicted heavy losses on the enemy without suffering a single disaster, and have seriously damaged the shipping interests of the United States by compelling their foreign commerce to seek the protection of neutral flags.

Your attention is invited to the suggestions of the report on the subject of supplying seamen for the service, and of the provisions of the law in relation to the Volunteer Navy.

POST-OFFICE.

The Postmaster-General reports the receipts of that Department for the fiscal year ending the 30th of June last to have been $3,337,853.01, and the expenditures for the same period $2,662,804.67. The statement thus exhibits an excess of receipts amounting to $675,048.44, instead of a deficiency of more than $1,000,000, as was the case in the preceding fiscal year. It is gratifying to perceive that the Department has thus been made self-sustaining in accordance with sound principle, and with the express requirement of the Constitution that its expenses should be paid out of its own revenues after the 1st of March, 1863.

The report gives a full and satisfactory account of the operations of the Post-Office Department for the last year, and explains the measures adopted for giving more certainty and regularity to the service in the States beyond the Mississippi, and on which reliance is placed for obviating the difficulties heretofore encountered in that service.

The settlement of the accounts of the Department is greatly delayed by reason of the inability of the First Auditor to perform all the duties now imposed on him by law. The accounts of the Department of State, of the Treasury, of the Navy, and of Justice, are all supervised by that officer, and more than suffice to occupy his whole time. The necessity for a third auditor to examine and settle the accounts of a department so extensive as that of the Post-Office appears urgent, and his recommendation on that subject meets my concurrence.

CONDUCT OF ENEMY.

I cannot close this message without again adverting to the savage ferocity which still marks the conduct of the enemy in the prosecution of the war. After their repulse from the defenses before Charleston they first sought revenge by an abortive attempt to destroy the city with an incendiary composition thrown by improved artillery from a distance of four miles. Failing in this they changed their missiles, but fortunately have thus far succeeded only in killing two women in the city. Their commanders, Butler, McNeil, and Turchin, whose terrible barbarities have made their names widely notorious and everywhere execrable, are still honored and cherished by the authorities at Washington. The first named, after having been withdrawn from the scenes of his cruelties against women and prisoners of war, in reluctant concession to the demands of outraged humanity in Europe, has just been put in a new command at Norfolk, where helpless women and children are again placed at his mercy.

Nor has less unrelenting warfare been waged by these pretended friends of human rights and liberties against the unfortunate negroes. Wherever the enemy have been able to gain access they have forced into the ranks of their army every able-bodied man that they could seize, and have either left the aged, the women, and the children to perish by starvation, or have gathered them into camps where they have been wasted by a frightful mortality. Without clothing or shelter, often without food, incapable without supervision of taking the most ordinary precautions against disease, these helpless dependents, accustomed to have their wants supplied by the foresight of their masters, are being rapidly exterminated wherever brought in contact with the invaders. By the Northern man, on whose deep-rooted prejudices no kindly restraining influence is exercised, they are treated with aversion and neglect. There is little hazard in predicting that in all localities where the enemy have gained a temporary foothold the negroes, who under our care increased six-fold in number since their importation into the colonies by Great Britain, will have been reduced by mortality during the war to no more than one-half their previous number.

Information on this subject is derived not only from our own observation and from the reports of the negroes who succeed in escaping from the enemy, but full confirmation is afforded by statements published in the Northern journals by humane persons engaged in making appeals to the charitable for aid in preventing the ravages of disease, exposure, and starvation among the negro women and children who are crowded into encampments.

The frontier of our country bears witness to the alacrity and efficiency with which the general orders of the enemy have been executed in the devastation of farms, the destruction of the agricultural implements, the burning of the houses, and the plunder of everything movable. Its whole aspect is a comment on the ethics of the general order

issued by the United States on the 24th of April, 1863, comprising "Instructions for the government of armies of the United States in the field," and of which the following is an example:

Military necessity admits of all direct destruction of life or limb of *armed* enemies, and of other persons whose destruction is incidentally *unavoidable* in the armed contests of the war; it allows of the capturing of every armed enemy, and every enemy of importance to the hostile Government, or of peculiar danger to the captor; it allows of all destruction of property, and obstructions of the ways and channels of traffic, travel, or communication, and of all withholding of sustenance or means of life from the enemy; of the appropriation of whatever an enemy's country affords necessary for the subsistence and safety of the Army, and of such deception as does not involve the breaking of good faith either positively pledged regarding agreements entered into during the war, or supposed by the modern law of war to exist. Men who take up arms against one another in public war do not cease on this account to be moral beings, responsible to one another and to God.

The striking contrast to these teachings and practices presented by our army when invading Pennsylvania illustrates the moral character of our people. Though their forbearance may have been unmerited and unappreciated by the enemy, it was imposed by their own self-respect which forbade their degenerating from Christian warriors into plundering ruffians, assailing the property, lives, and honor of helpless non-combatants. If their conduct, when thus contrasted with the inhuman practices of our foe, fail to command the respect and sympathy of civilized nations in our day, it cannot fail to be recognized by their less deceived posterity.

The hope last year entertained of an early termination of the war has not been realized. Could carnage have satisfied the appetite of our enemy for the destruction of human life, or grief have appeased their wanton desire to inflict human suffering, there has been blood shed enough on both sides, and two lands have been sufficiently darkened by the weeds of mourning to induce a disposition for peace.

If unanimity in a people could dispel delusion, it has been displayed too unmistakably not to have silenced the pretense that the Southern States were merely disturbed by a factious insurrection, and it must long since have been admitted that they were but exercising their reserved right to modify their own government in such manner as would best secure their own happiness. But these considerations have been powerless to allay the unchristian hate of those who, long accustomed to draw large profits from a union with us, cannot control the rage excited by the conviction that they have by their own folly destroyed the richest sources of their prosperity. They refuse even to listen to proposals for the only peace possible between us—a peace which, recognizing the impassable gulf which divides us, may leave the two peoples separately to recover from the injuries inflicted on both by the causeless war now waged against us. Having begun the war in direct violation of their Constitution, which forbade the attempt to coerce a State, they have been hardened by crime until they no longer attempt to veil their purpose to destroy the institutions and subvert the sovereignty and independence of these States. We now know that the only reliable hope for peace is in the vigor of our resistance, while the cessation of their hostility is only to be expected from the pressure of their necessities.

The patriotism of the people has proved equal to every sacrifice demanded by their country's need. We have been united as a people never were united under like circumstances before. God has blessed us with success disproportionate to our means, and under His divine

favor our labors must at last be crowned with the reward due to men who have given all they possessed to the righteous defense of their inalienable rights, their homes, and their altars.

JEFFERSON DAVIS.

GENERAL ORDERS, No. 160. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 7, 1863.*

I. The following schedules of prices for articles named therein, adopted by commissioners appointed pursuant to law, for the State of Virginia, are announced for the information of all concerned, and the special attention of officers and agents of the Government is directed thereto:

II.

RICHMOND, *December 4, 1863.*

HON. JAMES A. SEDDON:

SIR: In revising and preparing the schedules of prices for December and January, we requested the aid of Mr. William B. Harrison, and it is proper to add that the prices agreed upon received the unanimous approval of the commissioners. We respectfully offer the accompanying Schedules A and B, with the understanding that the prices therein indicated are to remain for the months of December and January, unless in the interval it should be deemed by us necessary to modify them.

The following schedules present the maximum prices to be paid for the articles appraised at all cities and usual places of sale, and when impressed elsewhere the same prices are to be paid elsewhere, less the cost of transportation to the city or usual place of sale to which the article would go ordinarily for sale from that neighborhood, or less the cost of transportation to the point at which the Government needs the article and wishes it to be sent, provided that in no case the amount deducted for transportation as above shall exceed 25 cents per bushel for grain and 25 cents per hundredweight for long forage, flour, bacon, iron, &c. In addition to the established price of transportation, the Government to pay all legal tolls, and, where farmers cannot procure nails for baling forage, Government to furnish the same at cost, which will be deducted from the established price for baling:

SCHEDULE A.

	Articles.	Quality.	Description.	Quantity.	Price.
1	Wheat	Prime	White or red	Per bushel of 60 pounds.	$5.00
2	Flour	Good	Fine	Per barrel of 196 pounds	22.00
	do	do	Superfine	do	25.00
	do	do	Extra superfine	do	26.50
	do	do	Family	do	28.00
3	Corn	Prime	White or yellow	Per bushel of 56 pounds.	4.00
4	Unshelled corn	do	do	do	3.95
5	Corn-meal	Good		Per bushel of 50 pounds.	4.20
6	Rye	Prime		Per bushel of 56 pounds.	3.20
7	Cleaned oats	do		Per bushel of 32 pounds.	2.00
8	Wheat bran	Good		Per bushel of 17 pounds.	.50
9	Shorts	do		Per bushel of 22 pounds.	.70
10	Brown stuff	do		Per bushel of 28 pounds.	.90
11	Ship stuff	do		Per bushel of 37 pounds.	1.40
12	Bacon	do	Hog round	Per pound	1.25
13	Salt pork	do		do	1.10
	Fresh pork	Fat and good		Per pound, net weight	.80
14	Lard	Good		Per pound	1.25
15	Horses	First class	Artillery, &c	Average price per head	350.00
16	Wool	Fair or merino	Washed	Per pound	3.00
17	do	do	Unwashed	do	2.00
18	Peas	Good		Per bushel of 60 pounds.	4.00
19	Beans	do		do	4.00
20	Potatoes	do	Irish	do	4.00
21	do	do	Sweet	do	5.00
22	Onions	do		do	5.00
23	Dried peaches	do	Peeled	Per bushel of 38 pounds.	8.00
24	do	do	Unpeeled	do	4.50
25	Dried apples	do	Peeled	Per bushel of 28 pounds.	3.00

SCHEDULE A—Continued.

	Articles.	Quality.	Description.	Quantity.	Price.
26	Hay, baled	Good	Timothy or clover	Per 100 pounds	$3.50
27	do	do	Orchard or herd grass	do	3.00
28	Hay, unbaled	do	do	do	3.00
29	Sheaf oats, baled	do		do	4.00
30	Sheaf oats, unbaled	do		do	3.50
31	Blade fodder, baled	do		do	3.50
32	Blade fodder, unbaled	do		do	3.00
33	Shucks, baled	do		do	2.20
34	Shucks, unbaled	do		do	1.70
35	Wheat straw, baled	do		do	1.80
36	Wheat straw, unbaled	do		do	1.30
37	Pasturage	do	Interior	Per head per month	3.00
38	do	Superior	do	do	4.00
39	do	First rate	do	do	5.00
40	do	Good	Near cities	do	5.00
41	do	Superior	do	do	6.00
42	do	First rate	do	do	7.00
43	Salt	Good		Per bushel of 50 pounds	5.00
44	Soap	do		Per pound	.40
45	Candles	do	Tallow	do	2.00
46	Vinegar	do	Cider	Per gallon	2.00
47	Whisky	do	Trade	do	3.00
48	Sugar	do	Brown	Per pound	1.50
49	Molasses	do	New Orleans	Per gallon	10.00
50	Rice	do		Per pound	.20
51	Coffee	do	Rio	do	3.00
52	Tea	do	Trade	do	7.00
53	Vinegar	do	Manufactured	Per gallon	.50
54	Pig-iron	do	No. 1 quality	Per ton	150.00
55	do	do	No. 2 quality	do	132.00
56	do	do	No. 3 quality	do	120.00
57	Bloom iron	do		do	216.00
58	Smith's iron	do	Round, plate, and bar	do	456.00
59	Railroad iron	do		do	190.00
60	Leather	do	Harness	Per pound	2.60
61	do	do	Sole	do	2.40
62	do	do	Upper	do	2.80
63	Beef-cattle	do	Gross weight	Per 100 pounds	16.00
64	do	Superior	do	do	18.00
65	do	First rate	do	do	20.00
66	Sheep	Fair		Per head	30.00
67	Army woolen cloth, 3-4 yard.	Good	10 ounces per yard	Per yard	5.00
68	Army woolen cloth	do			(*a*)
69	Army woolen cloth, 6-4 yard.	do	20 ounces per yard	Per yard	10.00
70	Army woolen cloth	do			(*a*)
71	Flannels, 3-4	do	6 ounces per yard	Per yard	4.00
72	Cotton shirting, 3-4	do	4½ yards to pound	do	.56
73	Cotton shirting, 7-8	do	3¾ yards to pound	do	.84
74	Cotton sheeting, 4-4	do	3 yards to pound	do	.87
75	Cotton, Osnaburg, 3-4	do	6 ounces per yard	do	.75
76	Cotton, Osnaburg, 7-8	do	8 ounces per yard	do	.88
77	Cotton drills, 7-8	do	3 yards to pound	do	.88
78	Cotton shirting, stripes	do	do	do	.88
79	Cotton tent cloths	do	10 ounces per yard	do	1.12
80					(*b*)
81	Cotton warps	Good		Per pound	2.00
82	Army shoes	do		Per pair	10.00
83	Shoe thread	do		Per pound	2.00
84	Wool socks, men's	do		Per pair	1.25
85	Mules	First rate	Wagon, &c	Average price per head	300.00
86	Corn-top fodder, baled	Good		Per 100 pounds	2.00
87	Corn-top fodder, unbaled.	do		do	1.50
88	Wheat chaff, baled	do		do	2.00
89	Wheat chaff, unbaled	do		do	1.50
90	Sorghum molasses	do		Per gallon	8.00
91	Pasturage for sheep	do	Interior	Per head	.40
92	do	Superior	do	do	.50
93	do	First rate	do	do	.60

a Pro rata as to greater or less width or weight.
b On the above enumerated cotton cloths, pro rata as to greater or less width or weight.

In assessing the average value of "first-class artillery and wagon horses at $350," we designed that the term should be accepted and acted upon according to its obvious common-sense import; in other words, that horses should be selected and then impressed accordingly as their working qualities and adaptation to army service, together with their intrinsic value, would warrant a judicious purchaser in considering them as coming within the contemplation of the commissioners when

they assessed the average value of such horses as the Government needed at $350. But cases might arise, however, when the public exigencies would be so urgent as to demand that all horses at hand should be impressed. Yet, under ordinary circumstances, when family, or extra-blooded horses, or brood mares of admitted high value are impressed, we respectfully suggest to the Secretary of War to have instructions forwarded to the impressing officers to propose and allow the owners to substitute in their stead such strong, sound, and serviceable horses or mules as shall be considered and valued by competent and disinterested parties as first-class artillery horses or first-rate wagon mules.

The term "average value per head" was used in contradistinction to a fixed and uniform price for each horse or mule. We supposed that in impressing a number of horses or mules, whether owned by several persons or one individual, that some might be estimated at $250, or even at less, and others at different advanced rates, according to their worth, up as high as $450, or above that amount, thus making an average value or price for a number of good, sound, and efficient horses $350 each, and mules $300 each.

In illustration of our views, we will add that a horse with only one eye sound might, in all other respects, be classed as a first-rate artillery horse, yet the loss of one eye would justly and considerably curtail his value. So a horse from ten to eighteen years of age might be deemed in all other particulars as a first-class artillery horse, but, of course, however efficient or able to render good service for a year or so, yet his advanced age would justly and materially impair his value. Any horse, however he may approximate the standard of a first-class artillery horse, must, according to deficiencies, fall below the maximum price; and as few, comparatively, exactly come up to the standard, and therefore are entitled to the maximum price, so, of course, in all other instances the price should be proportionately reduced as imperfections place them below the standard of first-class, &c.

SCHEDULE B.—*Hire of labor, teams, wagons, and drivers.*

		Quantity and time.	Price.
1	Baling long forage	Per 100 pounds	$0.50
2	Shelling and bagging corn; sacks furnished by Government	Per 56 pounds	.05
3	Hauling	Per cwt. per mile	.08
4	Hauling grain	Per bushel	.04
5	Hire of 2-horse team, wagon, and driver; rations furnished by owner.	Per day	10.00
6	Hire of same; rations furnished by the Government	do	5.00
7	Hire of 4-horse team, wagon, and driver; rations furnished by owner.	do	13.00
8	Hire of same; rations furnished by the Government	do	6.50
9	Hire of 6-horse team, wagon, and driver; rations furnished by owner.	do	16.00
10	Hire of same; rations furnished by the Government	do	8.00
11	Hire of laborer; rations furnished by owner	do	2.50
12	Hire of same; rations furnished by the Government	do	1.50
13	Hire of same; rations and clothing furnished by owner	Per month	50.00
14	Hire of same; rations furnished by the Government	do	30.00
15	Hire of teamsters; rations furnished by Government	do	40.00
16	Hire of laborer; clothing and rations furnished by Government	Per year	300.00
17	Hire of same; clothing and rations furnished by owner	do	550.00
18	Hire of same; rations only furnished by Government	do	400.00

Upon further consideration we have concluded to value sheaf oats, hay, and blade fodder east of the Blue Ridge Mountains, when baled, at $5 per 100 pounds, and unbaled at $4.50 per 100 pounds.

E. W. HUBARD,
ROBERT GIBBONEY,
WM. B. HARRISON,
Commissioners for Virginia.

By order:

S. COOPER,
Adjutant and Inspector General.

[DECEMBER 7, 1863.—For Greer to Boggs, in regard to certain obstructions in the execution of the laws of conscription, see Series I, Vol. XXVI, Part II, p. 493.]

JOINT RESOLUTIONS of confidence in His Excellency President Davis.

Whereas, it is grateful to a public servant whilst engaged in the honest and faithful discharge of his duties in the midst of the weighty and perplexing cares of state to be assured of the sympathy and confidence of his fellow-citizens; and whereas, it is just that this Legislature, as the representative of the people of the State of Mississippi, should give expression of their estimate of their fellow-citizen, Jefferson Davis, President of the Confederate States: Therefore,

Resolved, *first*, That although in the pending gigantic war the brilliant successes of our arms have not been without occasional reverses, yet we repose full confidence in the patriotism, integrity, and ability of President Davis to preside at the helm of state, and with the blessing of Heaven, as our chosen leader, to conduct us eventually to the triumph of the principle of constitutional liberty for which we are contending.

Resolved, *second*, That the faith of the people of Mississippi in the justice of their cause is unshaken, and their determination unabated to sustain to the utmost the principles that led to their separation from the United States and the establishment of the Confederate Government.

Resolved, *third*, That the Governor is requested to forward a copy of these resolutions to His Excellency President Davis.

JAMES DRANE,
President of the Senate.

LOCK E. HOUSTON,
Speaker of the House of Representatives.

Approved December 9, 1863.

CHARLES CLARK,
Governor.

STATE OF MISSISSIPPI, OFFICE OF SECRETARY OF STATE.

I, Charles A. Brougher, secretary of state, do hereby certify that the foregoing preamble and resolutions are truly copied from the original, now on file in my office.

Given under my hand and the great seal of the State of Mississippi, at Macon, this 19th day of December, A. D. 1863.

[SEAL.] C. A. BROUGHER,
Secretary of State.

GENERAL ORDERS, No. 161. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 10, 1863.*

The following order is published as an amendment of the regulations in respect to impressments, as a substitute for paragraph II, section 5, General Orders, No. 37, current series. All officers and agents who have been or shall be empowered to make impressments shall conform to the provisions of this order in respect to impressments hereafter to be made, and also in cases where the property may have been heretofore taken and the price has not been fully adjusted:

In the event of the refusal by the owner, his bailee, or other agent of the price offered, the impressing officer shall proceed to settle the compensation to be paid according to the first section of the act of March 26, 1863, if the property impressed belongs to an owner who has grown, raised, or produced the same, or who holds or has purchased the same for his own use or consumption. But if the property

impressed has not been grown, raised, or produced by the owner, nor been purchased for his own use or consumption, it shall be the duty of the impressing officer to offer the price fixed by the commissioners who may be appointed under the fifth section of the act of Congress of the 26th of March, 1863, to regulate impressments; and if the owner shall object to receive the said price as not being a just compensation, it shall be the duty of the impressing officer to cause the value to be ascertained by the appointment of a board similar to that designated in the first section of the act aforesaid; that is, by the judgment of two loyal and disinterested citizens of the county or parish in which such impressments may be made—one to be selected by the owner and one by the impressing officer—and in the event of their disagreement, these two shall choose an umpire of like qualification. The persons thus selected shall proceed to assess just compensation for the property so impressed, whether the absolute ownership or the temporary use thereof only is required: Provided, however, if the impressing officer in any of the cases mentioned shall believe that the appraisement is fair or just, he shall indorse upon it his approval; and the property in the object impressed shall thereupon be vested in the Confederate States; but if he does not approve the appraisement as aforesaid, he shall indorse upon the appraisement his objection thereto, and deliver the same, with a receipt for the property impressed, to the owner, his bailee, agent, or attorney, and as soon as practicable forward a copy of the receipt and appraisement, and his indorsement thereon, to the Board of Appraisers appointed by the President and Governor of the State, who shall revise the same and make a final valuation, so as to give just compensation for the property taken; which valuation shall be paid by the proper department for the use of which the property was taken, on the certificate of the appraisers, as provided in the acts of Congress on the subject.

By order:

S. COOPER,
Adjutant and Inspector General.

GENERAL ORDERS, No. 162. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 11, 1863.*

I. Quartermasters at posts will afford all the accommodation in their power to persons in charge of stock traveling under the orders of officers of Lieut. Col. A. H. Cole's department. Forage and shelter for the animals and subsistence for the men will be furnished by them upon the requisition of any officer, or of his authorized agent, of Colonel Cole's department, who will receipt for the same.

II. To prevent claims for commutation of rations which may have been previously drawn, surgeons in charge of hospitals will indorse on the furlough of enlisted men who leave a hospital on furlough a statement of the number of days and the dates he has drawn rations for the enlisted men.

By order:

S. COOPER,
Adjutant and Inspector General.

Whereas, Jefferson Davis, President of the Confederate States, is entitled to the gratitude of the people and the commendation of every

enlightened patriot for his unselfish patriotism and untiring devotion to the interests of the whole country: Therefore,

Be it resolved by the Senate and House of Representatives of the State of South Carolina in General Assembly met, That the State of South Carolina, fully appreciating the trials and onerous duties devolving upon the Chief Magistrate of the Confederate States and his self-denying sacrifices, tender to him the assurances of unabated confidence.

Resolved, further, That they maintain an unalterable determination to sustain him in his efforts to conquer an honorable peace and maintain the liberties of the people.

Resolved, That His Excellency the Governor be requested to transmit to the President a copy of the foregoing preamble and resolutions.

IN THE HOUSE OF REPRESENTATIVES,
December 11, 1863.

I hereby certify that the foregoing preamble and resolutions were agreed to by the House and concurred in by the Senate.

JOHN T. SLOAN,
Clerk House of Representatives

CONFEDERATE STATES OF AMERICA, EXECUTIVE DEPT.,
Richmond, Va., December 12, 1863.

Honorable SECRETARY OF WAR:

SIR: I have the honor, by direction of the President, to forward for your attention and the proper action the following copy of a resolution of the House of Representatives of the 10th instant:

Resolved, That the President be respectfully requested to communicate to this House the number of substitutes in the armies of the Confederate States and what portion of them is from foreign countries.

Very respectfully, your obedient servant,
BURTON N. HARRISON,
Private Secretary.

[Indorsement.]

DECEMBER 14, 1863.

Adjutant-General for special attention and early report, giving this information if obtainable; if not, showing the inability and the cause.

J. A. S.,
Secretary.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., December 14, 1863.

The PRESIDENT OF THE CONFEDERATE STATES:

SIR: The resolution of the House of Representatives of the Congress of the Confederate States, inquiring whether contractors for carrying the mails of the Confederate States, exempt from the performance of military duty in the armies of the Confederate States under the act of April 14, 1863, have been retained in the Army and held subject to the performance of military duty since the passage of said act, and if so, upon what ground the same is done, has been referred by you to this Department for reply.

In reply I have to say that the conscription act of April 16, 1862, is the foundation of the legislation of Congress on the subject of providing for the further defense of the Confederate States. It declares as its course or motive "the exigencies of the country and the absolute necessity of keeping in the service our gallant Army, and of placing in the field a large additional force to meet the advancing columns of the enemy now invading our soil." It enacts "that all persons (between the ages of eighteen and thirty-five) who are now in the armies of the Confederacy, whose term of service will expire before the end of the war, shall be continued in the service for three years from the date of their original enlistment, unless the war shall have sooner ended." It further enacted "that the President might call out and place in the service for three years, unless the war shall have sooner ended, all persons between the ages of eighteen and thirty-five years at the time the call or calls may be made, who are not legally exempted from military service." The only persons who were exempted from military service were those designated in the act of Congress of the 21st of April, 1862, and comprised such persons as are usually exempt from militia duty, with a few exceptions. The "exigencies of the service," and "the necessity for keeping our gallant Army in the field," and for the addition of re-enforcements, were greatly increased by the events of the campaign in the spring, summer, and early part of the autumn of 1862.

The battles before and around Richmond, on the Potomac, and in Maryland had diminished the strength of the Army of Virginia; New Orleans and Memphis had capitulated; Western Tennessee, Northern Mississippi, and Northern Alabama were possessed by the enemy, and the United States had called for an increase to their Army [of] more than half a million men, and the preliminary proclamation of a general emancipation of the slave population of the Confederacy by the President of the United States had been made at the time when the Confederate Congress were required to make further provision for the public defense. On the 27th of September, 1862, under the dictate of this necessity, the President was authorized by Congress to call out and to place in the military service persons between thirty-five and forty-five years of age who at the date of his call were not legally exempted from military service, and the President "during the present war" was then vested with the same authority "as to all persons who then were or who might attain the age of eighteen years;" and "when enrolled, all persons between the ages of eighteen and forty-five were required to serve their full term;" and the Congress further provided "that nothing contained in this enactment shall be understood as repealing or modifying any part of the act of the 16th April, 1862." The act of the 13th October, 1862, was passed to designate the persons who were to be exempted from military service under the Presidential calls. These acts have been construed by this Department as parts of the same system and with the object to give full effect to every portion according to the intention of Congress. It is clear that this exemption act was not intended to discharge from any part of the Army the members belonging to it at its date. That portion of the Army which had been enlisted for the war remained in service under their contract, to answer the exigencies of the service, and that whose term of service was about to expire was continued in the service by the conscription act of 1862, under an inexorable, absolute necessity. It is also clear that it did not apply to such as have been legally enrolled for service, "for they were

required by the conscription act of September, 1862, to serve their full term."

The persons who were to be exempted were those who at the date of the call, or were claimed for enrollment, were not in the Army, and who belonged to the class of exempts as designated by the act of exemption.

This construction was adopted by the Department after mature consideration of the various enactments, and has been applied in its ordinary administration, and in the opinion of the Department this construction is demanded by their language and the motives which induced Congress to adopt them to provide for the public defense.

The act of Congress of April 14, 1863, relative to mail contractors, is an exemption act. The title of the act is similar to that of October 13, 1862, the one being "An act to exempt certain persons from military duty," the other being "An act to exempt contractors for carrying the mails of the Confederate States and the drivers of post coaches and hacks from military service." This Department has not supposed that the act last mentioned was designed to withdraw any portion of the gallant Army from the field, in the face of the declaration that there was "an absolute necessity" for its continued employment to resist the invader, to carry the mail on routes of ten miles in length on horse, or to drive post coaches or hacks.

The act of April 14, before mentioned, has been regarded as forming a part of the act of October, relative to exemptions, and to be applied to all such persons as were not enlisted or enrolled in the military service previous to its adoption. The Bureau of Conscription, under instructions from the Department, has determined "that the cause of exemption should exist at the time that military service is claimed. If a person otherwise subject to conscription before or at the time of enrollment claims exemption by reason of being such a mail contractor as is mentioned in the act, exemption must not be refused, even though the contract was obtained since the passage of the act. If the contract is obtained subsequent to the enrollment, the party virtually becomes a member of the Army, and a release from service is of the nature of a discharge from the Army, which is not contemplated in the act of Congress."

It is proper to state that one or more of the judges of the district courts of the Confederate States and one or more of the judges of State circuit courts have decided that the acts of exemption of October and April authorized discharges from the Army, and under the act of April one of these judges granted discharges to three members of the same company who had taken mail contracts for one mill, one cent, and ten cents, respectively. The advertisements of the Post-Office Department have represented the exemption from military service (including a discharge from the Army if enlisted) as a part of the benefit to be obtained by a contract for carrying the mails. The result has been that a competition among officers and men has to some extent been produced to obtain such contracts at nominal prices, by which they might abandon the flag of the Confederacy in the hour of its extreme peril to carry the mail in obscure districts and upon unimportant routes.

Such consequences were too serious to permit the Department to hesitate in the performance of its duty. It could not regard the opinion of one or more of the judges of these inferior tribunals as final and authoritative expositors of the statute. These statutes are

especially of an administrative character, and are particularly addressed to the Executive Department for its guidance. The Department has constantly to determine upon the signification of the terms and to ascertain the intention of Congress. Its opinion on the act of October was fully known and had been generally acquiesced in, and particularly so by Congress itself.

While, therefore, the Department respects the decisions of the courts as final in the case before it, it does not look to the opinions of the judges of the inferior court as furnishing the rule of interpretation they must bear in the action of the Department. The Department has not interfered with any of the soldiers who have been fairly discharged by judicial authority under the construction that the act is applicable to the Army, and has not discharged any other soldiers from the Army who may have obtained mail contracts in deference to the judicial opinion contained in such judgments.

The Department is confirmed in the accuracy of its opinion by considering the terms of the only act of Congress which has authorized it to give discharges from the Army. This act is entitled "An act to authorize the discharge of certain civil officers from the military service of the Confederate States," passed 2d of April, 1863. It provides that if any officer or soldier shall be elected or appointed to certain offices named, upon furnishing the Secretary of War with evidence of such election or appointment, if an officer, his resignation shall be accepted, and if a non-commissioned officer or private, he shall be honorably discharged by the Secretary of War. The distinction made between acts of exemption and acts for the discharge of officers and soldiers from the Army is plainly manifested by comparing the statutes before referred to and seems to have been fully appreciated by Congress.

Respectfully submitted.

JAMES A. SEDDON,
Secretary of War.

RICHMOND, VA., *December 16, 1863.*

His Excellency M. L. BONHAM,
Columbia, S. C.:

SIR: I have the honor to acknowledge your letter of the 11th instant inclosing certified copy of a preamble and resolutions adopted by the General Assembly of South Carolina at its present session.

It is most gratifying to me to receive this expression of its commendation of my official conduct, and that appreciating the trials and duties devolved upon me as Chief Magistrate of the Confederate States they have tendered to me in the name of the State the assurance of its unabated confidence, together with its "unalterable determination to sustain the Government in its efforts to conquer an honorable peace and maintain the liberties of the people." I am cheered by this approval and patriotic resolution. No efforts on my part shall be wanting to aid in the achievement of that independence which South Carolina has ever been so prompt to vindicate, and sooner or later must be ours. I desire through you to express to the government and General Assembly of your State my grateful acknowledgments for the generous support of a people determined to uphold the hands of the Chief Magistrate in the hour of trial and whose courage ever rises with the increase of danger.

Very respectfully and truly, yours,

JEFFERSON DAVIS.

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT,
Columbia, December 17, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

DEAR SIR: In your communication of 6th of June last, calling upon me for 5,000 troops, you conclude as follows:

> In pursuance of the views thus imperfectly presented, and to reconcile greater concentration to our armies, with adequate internal protection to your State, I am instructed by the President, in his name, to make on you a requisition for 5,000 men, to be furnished by your State, for service therein, for the period of six months from the 1st day of August next, unless in the intermediate time a volunteer force, organized under the law for local defense and special service, of at least an equal number be mustered and reported as subject to his call for service within your State.

Upward of 5,000 were organized and ready by the 1st of August, with the exception of some Charleston companies (when in the field in their militia capacity), though many of them have since been found to be exempt or have been discharged. The regiments were, however, not put into camp for six weeks or two months after, and when mustered in they were mustered in for six months from the day they went into camp, although, I believe, in each case they entered their protest against it and claimed that the six months began on the 1st of August.

In their construction of their rights under the call I concur, and submit that the language as above quoted warrants it.

My object in writing is not only to call your attention to this point, but also to suggest that timely steps should be taken for organizing a force to take the place of these troops. In such organization many of those now in the field will, of course, be included, as the resources of the State in this respect are now much reduced.

Very respectfully, yours,

M. L. BONHAM.

[Indorsement.]

DECEMBER 22, 1863.

Referred to the Military Committee of the House, to show the approaching necessity for legislation on the subject of conscript or reserve forces.

J. A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., December 18, 1863.

The PRESIDENT OF THE CONFEDERATE STATES:

SIR: In response to the resolution of the House of Representatives calling for a statement of the number of substitutes in the armies of the Confederate States, and the proportion received from foreign countries, I have the honor to transmit the inclosed report of the Adjutant-General.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

[Indorsement.]

SECRETARY OF WAR:

The letter of the Adjutant-General cannot be regarded as a response.

J. D.

[Inclosure.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, December 16, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: In reply to the resolution of the House of Representatives requiring a statement of the number of substitutes in the armies of the Confederate States, and the proportion received from foreign countries, I have the honor to state that to answer this call will require much time and labor, and even then the result, owing to the imperfect returns received, will be very unsatisfactory. A full examination will involve reference to every company muster-roll for two years past or more. These rolls have not been received with any degree of regularity, notwithstanding they are required by the Army Regulations to be forwarded every two months. The failure to receive them is attributable partly to the neglect of the officers, but often, no doubt, results from losses incident to sudden movements of troops, conflicts with the enemy, and other difficulties in the way of their transmission to the Department. And not only must the company rolls referred to be examined, but those of the conscription bureaus of this city and in the south and southwest. To these difficulties I may add that the clerical force in this office is barely sufficient for its current business, while the numerous and increasing calls for information from various sources necessarily interferes with the regular routine of duty. Within the past two years one officer and six clerks in this Bureau have died while on duty. Twelve others have broken down and been forced to resign. The obstacles in the way of the proposed inquiry are thus quite obvious. Nevertheless, I will endeavor to meet the requirements of the resolution, if under the circumstances detailed you deem it expedient so to direct, but in that event I shall be compelled to defer other and important work. With that portion of the resolution, however, which refers to the number of substitutes received from foreign countries, it will be impossible to comply, as the muster-rolls do not furnish the desired information.

With great respect, your obedient servant,

S. COOPER,
Adjutant and Inspector General.

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT,
Columbia, December 19, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: By direction of His Excellency the Governor I send you a certified copy of a resolution of the General Assembly of this State, to which your attention is respectfully invited.

I have the honor to be, very respectfully, your obedient servant,

B. F. ARTHUR,
Private Secretary.

[Indorsement.]

DECEMBER 27, 1863.

This must be deferred till the action of Congress can be taken. Retain for future answer.

J. A. S.,
Secretary.

[Inclosure.]

Resolved, That His Excellency the Governor be requested to correspond with the authorities at Richmond urging them to forego the right heretofore exercised of shipping cotton and bringing freight on the boats owned by the Importing and Exporting Company of South Carolina in consequence of the ownership by the State of a part of those boats, and that he set forth the great wants of our soldiers and citizens which the shipment of cotton and other produce and the importation of supplies and the implements of agricultural and manufactory industry alone can relieve.

I certify that the foregoing is a correct copy of the resolution as it passed the General Assembly at the late session.

WM. E. MARTIN,
Clerk of the Senate.

DECEMBER 18, 1863.

[DECEMBER 19, 1863.—For Magruder to Murrah, requesting that 25 per cent. of the Texas militia remaining at home may be called out, see Series I, Vol. XXVI, Part II, p. 514.]

EXECUTIVE DEPARTMENT,
Milledgeville, Ga., December 20, 1863.

[His Excellency JEFFERSON DAVIS:]

SIR: As requested by the General Assembly, I have the honor herewith to transmit to you a copy of the following resolutions passed by the Legislature of this State, and respectfully invite your attention to the same.

Very respectfully, &c.,

JOSEPH E. BROWN.

[Inclosure.]

RESOLUTIONS.

Resolutions expressive of the determination of Georgia to prosecute the present war with the utmost vigor and energy.

Whereas, at a session of the General Assembly of the State of Georgia, in the year 1861, the following resolutions were adopted:

Resolved, That it is the sense of this General Assembly that the separation of those States now forming the Confederate States of America from the United States is and ought to be final and irrevocable, and that Georgia will, under no circumstances, entertain any proposition from any quarter which may have for its object a restoration or reconstruction of the late Union on any terms or conditions whatever.

Resolved, That the war which the United States are waging upon the Confederate States should be met on our part with the utmost vigor and energy, until our independence and nationality are unconditionally acknowledged by the United States.

Resolved, That Georgia pledges herself to her sister States of the Confederacy that she will stand by them throughout the struggle, she will contribute all the means which her resources will supply, so far as the same may be necessary, to the support of the common cause, and will not consent to lay down arms until peace is established on the basis of the foregoing resolutions.

Whereas, the enunciation of said resolutions is as truly expressive of the position of Georgia to-day as at the time of their adoption; and

whereas, the meeting of another General Assembly of the State, after a lapse of two years more of struggle for independence, presents an occasion peculiarly appropriate to the renewal of these declarations, and that the world may know that Georgia does not tire of the war until her purpose is accomplished, nor abate anything of the spirit and determination manifested by said resolutions: Therefore

Resolved, That the Senate and House of Representatives in General Assembly met, with a fixed and unaltered purpose to stand by them, do reaffirm and readopt said resolutions in their letter and spirit.

Resolved further, That the Governor cause copies of these resolutions to be transmitted to the President of the Confederate States, and the Governors of the several States of the Confederacy, and also to the President of the Senate, and the Speaker of the House of Representatives of the Confederate Congress, with the request that they cause said resolutions to be read before their respective bodies.

A. R. WRIGHT,
President of the Senate.
L. H. KENAN,
Secretary of the Senate.
THOMAS HARDEMAN, JR.,
Speaker of the House.
L. CARRINGTON,
Clerk of the House.

Assented to November 24, 1863.

JOSEPH E. BROWN,
Governor.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, December 21, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

DEAR SIR: I desire to call your attention to an evil which is inflicting great distress upon the people of this State and contributing largely to the public discontent. I allude to illegal seizures of property and other depredations of an outrageous character by detached bands of troops, chiefly cavalry. The Department, I am sure, can have no idea of the extent and character of this evil. It is enough in many cases to breed a rebellion in a loyal county against the Confederacy, and has actually been the cause of much alienation of feeling in many parts of North Carolina. It is not my purpose now to give instances and call for punishment of the offenders—that I do to their commanding officers—but to ask if some order or regulation for the government of troops on detached service, the severe and unflinching execution of which might not check this stealing, pilfering, burning, and sometimes murderous conduct. I give you my word that in North Carolina it has become a grievance, intolerable, damnable, and not to be borne. If God Almighty had yet in store another plague worse than all others which he intended to have let loose on the Egyptians in case Pharaoh still hardened his heart, I am sure it must have been a regiment or so of half-armed, half-disciplined Confederate cavalry. Had they been turned loose among Pharaoh's subjects, with or without an impressment law, he would have become so sensible of the anger of God that he never would have followed the children of Israel to the Red Sea! No, sir; not an inch! Cannot officers be reduced to the

ranks for permitting this? Cannot a few men be shot for perpetrating these outrages, as an example? Unless something can be done I shall be compelled in some sections to call out my militia and levy actual war against them. I beg your early and earnest attention to this matter.

Very respectfully, yours,

Z. B. VANCE.

[Indorsement.]

DECEMBER 25, 1863.

ADJUTANT-GENERAL:

Can you suggest, or do you advise, a general order to avert the threatened disasters which so affect Governor Vance's imagination?

J. A. S.,
Secretary.

GENERAL ORDERS, No. 163. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, December 23, 1863.*

The attention of officers of the Army is again directed to paragraph VII, General Orders, No. 28, requiring that in all recommendations for military appointments the name of the State be given of which the person is a citizen. No applications will hereafter receive attention in which this rule is not observed.

By order:

S. COOPER,
Adjutant and Inspector General.

EXECUTIVE DEPARTMENT,
Milledgeville, Ga., December 23, 1863.

His Excellency JEFFERSON DAVIS:

SIR: I have the honor herewith to inclose you a copy of resolutions passed almost unanimously by the General Assembly of Georgia, affirming the constitutional right of Georgia troops in the service of the Confederate States, who were tendered by the Governor of this State, in response to the requisitions of the President, to elect their own officers.

It is earnestly hoped that Congress will, in reponse to the demand of the Legislature of this State, remove all obstructions which it has thrown in the way of the free exercise of this clear constitutional right of the gallant troops of this State, who have endured and sacrificed so much for our glorious cause, and that the troops of all the States may have the same just recognition of their constitutional rights.

JOSEPH E. BROWN.

[Inclosure.]

RESOLUTIONS.

Resolved by the General Assembly of the State of Georgia, That believing it to be the constitutional right of all soldiers who went from Georgia through the agency of the State to elect their regimental, battalion, and company officers, we request our Representatives in Congress, as a proper appreciation of the patriotic devotion, patience, and toil of our gallant soldiers in this sanguinary struggle for independence, to use their zealous efforts to procure, at the earliest prac-

ticable day, such a change in existing Confederate laws as shall secure the right of all regiments battalions, and companies in the Confederate service from this State to elect all their regimental, battalion, and company officers.

Resolved, That His Excellency the Governor is hereby requested to furnish a copy of this resolution to each of our Senators and Representatives in Congress.

THOS. HARDEMAN, JR.,
Speaker of the House.
L. CARRINGTON,
Clerk of the House.
A. R. WRIGHT,
President of the Senate.
L. H. KENAN,
Secretary of the Senate.

Assented to December 14, 1863.

JOSEPH E. BROWN,
Governor.

[First indorsement.]

Secretary of War will please note the statements in the printed letter on the first page and compare them with the records of the War Office that the case may be fully understood before it is acted on by the Congress or responded to by the Executive.

J. D.

[Second indorsement.]

Respectfully submitted to the President.

The President will perceive that this complaint is of the action of Congress and not of this Department.

There has been some correspondence with Governor Brown on the subject-matter of these resolutions. The complaint was at first directed against this Department, which was answered by the inclosed letter; and the Governor closed the correspondence by saying he should appeal to this Georgia Legislature. His letters are inclosed.* The Department did not consider it to be a part of its duty to vindicate to Governor Brown the legislation by which it was controlled, or to continue the correspondence further.

It may be proper to add that the Department does not consider the claim to be well founded. The opinions of the Attorneys-General (three in number) are not harmonious, and the subject was finally submitted to you in a communication from this Department, and the existing practice conforms to the conclusion then made.

[JAMES A. SEDDON.?]

HDQRS. VOLUNTEER AND CONSCRIPT BUREAU, DEPT. NO. 2,
Montgomery, Ala., December 26, 1863.

General SAMUEL COOPER,
Adjutant and Inspector General:

The order† of the Secretary of War of the 15th [16th] instant relieving me from duty in this bureau and ordering me to report to

* For inclosures mentioned, see Benjamin to Brown, February 2, 1862, Vol. I, this series, p. 902; Brown to Seddon, July 10, 1863, Vol. II, this series, p. 620; Seddon to Brown, July 25, 1863, *ibid.*, p. 671, and Brown to Seddon, August 21, 1863, *ibid.*, p. 737. One paper noted as an inclosure (Brown to Seddon, May 30, 1863) is not found.

† See Series I, Vol. XXXI, Part III, p. 836.

Lieutenant-General Hardee, and the order* of the 18th directing me to turn over books, officers, supporting forces, &c., to Colonel Preston, were duly received. I construe the second order as modifying the first, so far as to require me to remain here on duty until Colonel Preston, or some other officer designated by him, shall arrive to receive the transfer ordered. It is the only way I can conceive of to carry out the second order. I am disposing of such business as is most urgent and necessary to keep everything in active operation and to prevent injury to the service. General Johnston was here yesterday, and so directed me to act. He further ordered me to remain here until I received further instructions from the War Office. It is absolutely necessary, in my judgment, that I should remain here long enough to have closed up, with proper vouchers, the large expenditures of public money made by lieutenants of the line assigned to duty as acting assistant quartermasters and commissaries of subsistence at the various rendezvous of this bureau, and to settle the accounts for expenses of officers, which can alone be done by my examination and approval. I had given orders for the settlements of these accounts of acting assistant quartermasters and commissaries by which the whole expenditures would be presented in the consolidated reports of my bonded officer some time since, copies of which orders were submitted to and approved by General Johnston. Copies were also sent to the Secretary of War.

I do not know whether Colonel Preston intends coming on in person, or will designate some officer to receive the transfer. It is my duty to the Department and to the Government to say that in my judgment neither Colonel Preston nor any other officer can stay in Richmond and properly manage and work this organization. It must have a central head to provide for its absolute wants, to make the change of officers constantly going by orders from the generals of our armies, and to examine and settle the accounts of officers constantly coming in; to control the working force, upon the success of which depends the strength of the armies and the hopes of the country.

Reports from army headquarters there that General Hardee's army is receiving 300 men per day, while all the other armies are receiving a due proportion. I decidedly prefer going to the front if I am placed in command of a respectable force. If I am not to have such command, I would prefer my present service, and that was what I meant to say, and think and did so express myself. I was willing to do duty wherever the Government thought my services most useful; that I was not content to stay on this duty and be debarred all chance of future promotion, while all those officers who formerly served under me would become my seniors. If I am to be forever overlooked (notwithstanding all my sacrifices, sufferings, and labors for the cause I have had so much at heart) I cannot but feel myself deeply aggrieved. As a soldier I know it is my duty to submit to the judgment of the President without murmuring, and I do not wish to be considered now as doing so; but I should be less than a mortal or more than a mortal if I could be always indifferent to the treatment I receive from my own Government.

I am, sir, your obedient servant,

GID. J. PILLOW,

Brigadier-General, C. S. Army, Superintendent, &c.

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*See Series I, Vol. XXXI, Part III, p. 844.

AN ACT to amend so much of section eleven of the tax law as requires one-tenth of the sweet potatoes produced this year to be paid to the Government.

The Congress of the Confederate States of America do enact, That so much of section eleven of "An act to lay taxes for the common defense, and carry on the Government of the Confederate States," approved April twenty-fourth, eighteen hundred and sixty-three, as requires farmers and planters to pay one-tenth of the sweet potatoes produced in the present year to the Confederate Government, be so amended as to authorize the producers of sweet potatoes, in the year eighteen hundred and sixty-three, to make commutation by payment of the money value of the tithe thereof, instead of payment in kind, at rates to be fixed by the commissioners under the impressment act.

Approved December 28, 1863.

[DECEMBER 28, 1863.—For act of Congress to prevent the enlistment of substitutes in the military service, see General Orders, No. 3, January 9, 1864, Vol. III, this series, p. 11; and for act authorizing the tax in kind to be commuted by collection of salt pork as an equivalent, see General Orders, No. 4, January 11, 1864, *ibid.*, p. 14.]

RICHMOND, VA., *December 28, 1863.*

His Excellency CHARLES CLARK,
Governor of Mississippi:

SIR: I have the honor to acknowledge your letter of the 19th instant covering resolutions of the Legislature of Mississippi passed at its recent session at Columbus. My heart responds to the sentiment of the Legislature that it is grateful to a public servant, in the midst of the weight and perplexing cares of state, to be assured of the sympathy and confidence of his fellow-citizens. Next to the blessing of God, the cordial support of the people is most potential for the maintenance of our independence and the success of the principles for which we are contending. Upon that support I have always relied, and never, thus far, in vain. An entire co-operation between people and Government, with the same activity, valor, and endurance which have distinguished the past, will, under Divine favor, establish on the enduring basis of truth and justice the constitutional liberty of these Confederate States.

I am profoundly grateful to the Legislature of the State, of which it has ever been my pride to be a citizen, for the kindness which has induced them to tender to me this expression of their confidence. It is also gratifying to me to have so authoritatively and strongly expressed the unshaken faith of the people of Mississippi in the justice of their cause, and their resolve to uphold the principles upon which the Confederate Government has been established. While making these acknowledgments through you to the Legislature I beg that you will accept for yourself my sincere thanks for the kind manner in which you have conveyed the resolutions.

Very respectfully and truly, yours,

JEFFERSON DAVIS.

EXECUTIVE DEPARTMENT, NORTH CAROLINA,
Raleigh, December 29, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

DEAR SIR: I have the honor herewith to transmit to you certain resolutions of the General Assembly of this State, passed at the recent extra session, upon the subject of illegal impressments and the scarcity of provisions, to which I invite your early attention.

There is great reason to believe that the supply of provisions is very limited, and I earnestly request that the Government will impress as small quantities as possible within our borders. Impressing agents in many instances act in such manner as to create great dissatisfaction among our people, and I sincerely hope that you will look to their conduct, and issue such instructions as will protect citizens from illegal and unjust annoyance. These agents sometimes assume the right to judge of the quantity which the citizen needs for the use of his family, and impress what they regard as the surplus, thus leaving him without an adequate supply. This crying evil and injustice should be corrected without delay.

Many military officers also, in violation of the law of Congress, assume the right of impressment. This evil cannot longer be tolerated, and I invoke your aid in its suppression.

With sentiments of great respect, your obedient servant,

Z. B. VANCE.

[Inclosure.]

Resolutions in relation to impressment.

Whereas, this Legislature has been informed that certain persons, claiming to be officers and soldiers in the military service of the Confederate States, have been and are now going through portions of the State making impressments of corn, pork, and other articles of food essential to the support of the inhabitants of the said localities in addition to the tithes demanded by the Government, and before the tithes are collected; and whereas, it is the duty of the authorities of the State to protect its citizens in the enjoyment of their constitutional rights and privileges, as well as the subject to render obedience to its constitutional and legal requirements: Therefore,

Resolved, That His Excellency the Governor is hereby requested to correspond with the authorities of the Confederate Government in regard to such impressments, and ascertain whether they are directed and countenanced by them, and to make an effort to prevail upon said authorities to put a stop to all such illegal proceedings and public nuisances.

Resolved further, That in consideration of the scarcity of provisions after the tithes shall be withdrawn from the State, His Excellency the Governor be respectfully requested to use every honorable means to keep in the State the balance of provisions; otherwise great and almost universal suffering must ensue.

Read three times and ratified in General Assembly this the 12th day of December, A. D. 1863.

R. S. DONNELL,
Secretary of House of Commons.
GILES MEBANE,
Secretary of Senate.

STATE OF NORTH CAROLINA.

I, John P. H. Russ, secretary of state in and for the State of North Carolina, do hereby certify that the foregoing is a true copy of the original on file in this office.

Given under my hand this 29th of December, 1863.

JNO. P. H. RUSS,
Secretary of State.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., December 29, 1863.

Hon. C. J. McRAE,
Burlington Hotel, London:

SIR: I sent, by a late opportunity, a copy of my letter of September 26, which I regretted to learn had not reached you. Lest that likewise should have miscarried I inclose a further copy of the same,* as it gave general instructions, which it is important should reach and be perused by you.

I learn, with less surprise than regret, of the discoveries which have been made in the examination of the accounts of Messrs. S. Isaac, Campbell & Co. with Major Huse. For some time past I have had strong suspicions that the practices of that firm were more sharp than honest, and that Major Huse, through overconfidence or some other motive, was allowing the interests of the Department to suffer in his transactions with them. I had given on several occasions to the Ordnance Bureau, whose officer Major Huse was, and who conducted the correspondence with him, injunctions to bring all dealings with that firm to as early a close and settlement as possible; but in this, as in some other instances, Major Huse has seemed more inclined to thwart than carry out the wishes of the Department, and has so acted as to render the continuance of relations and dealings difficult of termination. I should have recalled him but for my apprehensions that, as some charges had been made against his integrity in connection with his transactions, they might appear to be countenanced by the conduct of the Department, and thus do, perhaps, injustice to a faithful officer.

In consequence, I preferred the examination should be made of his accounts by persons having fully the confidence of the Department, and all the facts ascertained before any action was taken. I hope the result may yet indicate his fidelity and character, both as an officer and man of business; but the information given by your letter cannot fail to excite some doubts as to both. His conduct in regard to the Austrian rifles was certainly extraordinary remissness, to say the least. It has placed the Department in an awkward and embarrassing position.

On the one hand it would be manifestly unjust that so large a sum as £25,000 should be lost to the Confederacy by the omission of one of its officers to express a "desire" which it must have been known he felt, or ought to have felt, and when the circumstances rendering such desire an official obligation were fully known and understood by the other party to the contract.

The expression of such desire could only have been omitted either from collusion or from full confidence on the part of Major Huse that, under the circumstances and with the knowledge possessed by

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*See p. 824.

Messrs. S. Isaac, Campbell & Co., they fully understood that desire to exist, and that it would be recognized by them. On the other hand, the mere language of the contract, in the absence of such "desire," would seem to entitle these sharp dealers to the claim they make, and the Department is most reluctant to seem to violate its faith, or disregard the letter of a contract made by its agent.

If bound to decide, the latter hazard must be encountered, for the claim is essentially too inequitable to be submitted to. Still, I much prefer the matter should be arranged by mutual consent, or, if need be, referred to equitable arbitrament, and I give to you the discretion of adopting either course if deemed advisable.

I agree with you in thinking it would not be advisable to attach the cotton or other property held by S. Isaac, Campbell & Co. within the Confederacy, not obtained or held as the immediate result of transactions with the Department, in order to secure full indemnity for contingent balances that may be found against them. The case would be otherwise as to other property or money paid to their agent in settlement of their account. It is feared that such has passed beyond our reach, but the gold may still be in the hands of our agent, who will respect our notice to hold it subject to the adjustment of their accounts, and Colonel Gorgas, of the Ordnance Department, has been directed to give an intimation that such is the wish of the Department. If the £50,000 of bonds retained by you should prove inadequate, this resource may yet avail.

It was fortunate that you took the measure of calling in a public accountant to examine the books of this firm. They had evidently expected, by the appearance of great fairness and the proffer of every facility, to induce yourself and your assistants to take their accounts, on very cursory inspection, as satisfactory. They had no idea from the very first of submitting them to the observation of a practical accountant, versed in the shipping ways of mercantile usage, where false invoices and deceptive accounts are regular matters of trade.

This firm have manifestly changed their whole face of proceedings, and, from an attempt to blind you into overconfidence, are now seeking, by effrontery and concealment, to obtain all possible advantages. The pretenses asserted for discounts and commissions can certainly not be countenanced by English justice or mercantile honor, and while you may have difficulty in ferreting out the truth, so far as you do succeed you have only to be firm in your demands, and the dread of exposure will compel their ready compliance.

The course of the Department I would have determined by their own conduct. So far as they may have acted honestly, or in a liberal spirit, I would desire them to be liberally dealt by; but if they persist in knavery, and exhibit a refractory spirit, you should exact rigid justice. I shall await further developments of your examination with interest, and shall be pleased to be informed of its result when ascertained.

I am pleased to see that the title has been made to the Harriet Pinckney, and consider it as indicative of the yielding that may be expected under the dread of exposure.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.

[DECEMBER 30, 1863.—For Vance to Davis, in relation to peace negotiations with the enemy, see Series I, Vol. LI, Part II, p. 807.]

RICHMOND, VA., *December 31, 1863.*

THE SENATE OF THE CONFEDERATE STATES OF AMERICA:

The act entitled "An act to amend an act entitled 'An act to aid the State of Kentucky, and for other purposes,'" approved 29th of January, 1862, has been duly considered, and I find myself constrained, though very reluctantly, because of the purpose in view, to return the same to the House in which it originated with a statement of the objections which cause me to withhold my approval.

The act to which this is amendatory was for the declared object of aiding the Governor and Council of Kentucky to raise and organize troops in that State for the Confederate service, and to supply them with clothing, subsistence, transportation, arms, and ammunition. The second section of that act carefully provided the manner of making requisitions on the appropriation, so as to secure its application to the object for which it was designed, viz, to provide for troops raised for the Confederate service anterior to their being mustered into the same, and therefore before they could be supplied by the officers of the Confederate Army.

The act now before me devotes one-half of that appropriation to a purpose entirely different from that originally contemplated, and authorizes the Governor and Council to draw from the Treasury $1,000,000, to be expended in purchasing clothing for the use and benefit of the Kentucky troops now in the service. These already receive the same allowance of clothing as all other troops. The act under consideration makes an appropriation for an object for which other money is appropriated, and directs its expenditure by agents other than the bonded officers charged with supplying clothing to the whole Army. If it be designed, as equity would seem to require, to make a proportionate provision for all the other troops, the Senate will not fail to observe the very large expenditure which it would involve, and that the method is objectionable, because it would be to employ two sets of agents to perform the same duty, who, buying in the same market, would necessarily be bidders against each other.

If the allowance of clothing be not sufficient, a better remedy would seem to be an increase of the appropriation for the clothing for the whole Army, that the grateful duty might in that case be performed by the Confederate authorities of issuing to the soldier whatever additional allowance the Government may be able to procure and his wants may require.

It will be further perceived that to recognize as well founded the implication contained in this bill that extra supplies of clothing furnished to the soldiers ought to be paid for by the Confederacy would lay the foundation for large claims to be made hereafter by the States for reimbursement on account of clothing supplied by them to their soldiers.

If the discrimination made by this act in favor of the gallant soldiers of our sister State of Kentucky originates from the natural sympathy excited by their separation from such comforts as they might expect to receive if able to communicate with their homes, Congress will not fail to perceive that there are many other troops in the service in like condition, whose claims to consideration stand on precisely the same footing.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA,
BUREAU OF CONSCRIPTION,
Richmond, Va., December 31, 1863.

Hon. JAMES A. SEDDON,
Secretary of War:

SIR: The following resolution of the House of Representatives has been referred to this Bureau:

Resolved, That the President be requested to communicate to this House the number of officers and men, including the police and mounted guard, employed in executing the conscript law, distinguishing the number in each Congressional district.

In reply I have the honor to submit the accompanying papers marked, respectively, Virginia, North Carolina, South Carolina, and Georgia, the four States over which the jurisdiction of this Bureau extended at the date of the resolution. In addition to the matter of conscription proper this Bureau is charged with duties requiring perhaps tenfold the labor and force demanded for the full performance of that service.

First. The arrest and return of all deserters and absentees without leave from the Army, amounting at this day to so frightful a percentage that it may not be prudent to express even a conjecture.

Second. The whole matter of furloughs and details outside of the Army, the details alone reaching 13,000.

Third. The whole matter of substitution, of which there are now over 15,000 cases under investigation.

Fourth. The general external police of the Army in all its branches.

In the performance of these duties the officers and men herewith returned are employed and distributed. The following is the summary of the matter demanded in the resolution. The specific character may be seen by reference to the papers indicated. In addition to these returns I also inclose a part of the instructions of this Bureau concerning the matter involved.

I have the honor to be, very respectfully, your obedient servant,
JNO. S. PRESTON,
Colonel and Superintendent.

VIRGINIA.

Districts.	Conscript office and camp of instruction—officers.	Enrolling officers.				Medical examining board.		
		Officers.	S. & M.	Soldiers.	Conscripts.	Surgeons.	Assistant surgeons.	Physicians.
First	.....	8	.....	3	48	.....	1	2
Second	.....	8	.....	3	58	1	.....	2
Third	.....	9	.....	8	36	1	.....	2
Fourth	.....	6	.....	7	33	1	.....	.....
Fifth	.....	5	1	11	91	1	.....	2
Sixth	.....	7	.....	6	100	1	.....	2
Seventh	.....	6	1	15	39	.....	1	2
Eighth and Ninth	.....	16	.....	8	39	1	.....	2
Tenth	.....	3	.....	1	26	.....	.....	2
Eleventh	.....	7	.....	15	53	.....	1	.....
Twelfth	.....	10	3	13	107	1	.....	2
Thirteenth	.....	5	3	17	46	.....	1	2
Total	31	90	8	107	676*	7	4	20

Aggregate, 943.

NORTH CAROLINA.

Districts.	Conscript office and camp of instruction—officers.	Enrolling officers.			Medical examining board.	
		Officers.	Soldiers.	Conscripts.	Surgeons.	Physicians.
First	.....	.....	.....	.....	.....	.....
Second	.....	6	.....	.....	1	2
Third	.....	7	2	.....	1	2
Fourth	.....	7	.....	.....	1	2
Fifth	.....	8	5	500	1	2
Sixth	.....	6	.....	.....	1	2
Seventh	.....	5	1	.....	1	2
Eighth	.....	2	6	250	1	2
Ninth	.....	4	.....	.....	1	2
Tenth	.....	2	.....	.....	1	2
Total	32	47	14	750	9	18

Aggregate, 870.

The men at Camps Holmes and Vance are sent out to such sections of the State as occasion may require. From Camp Holmes sixty men, with Fifty-sixth North Carolina Regiment, under the command of Brigadier-General Hoke, are used for arresting deserters in the Sixth and Seventh Districts.

SOUTH CAROLINA.

Districts.	Conscript office and camp of instruction—officers.	Enrolling officers.			Medical examining board.		
		Officers.	Soldiers.	Conscripts.	Surgeons.	Assistant surgeons.	Physicians.
First	.....	8	3	5	1	1	1
Second	.....	2	2	1	1	.....	2
Third	.....	3	1	13	.....	1	2
Fourth	.....	8	21	4	.....	1	1
Fifth	.....	9	30	55	1	.....	2
Sixth	.....	9	7	12	1	1	2
Total	8	39	64	90	4	4	10

Aggregate, 219.

GEORGIA.

Districts.	Conscript office and camp of instruction—officers.	Enrolling officers.				Medical examining board.	
				Lee's battalion.			
		Officers.	Soldiers.	Officers.	Men.	Surgeons.	Physicians.
First	.....	1	32	.....	.....	1	2
Second	.....	5	16	.....	.....	1	2
Third	.....	3	18	.....	.....	1	2
Fourth	.....	3	16	.....	.....	1	2
Fifth	.....	1	16	.....	.....	1	2
Sixth	.....	3	22	.....	.....	1	2
Seventh	.....	1	28	.....	.....	1	2
Eighth	.....	2	15	.....	.....	1	2
Ninth	.....	2	25	.....	.....	1	2
Tenth	.....	1	26	.....	.....	1	2
Total	36	22	208	30	455	10	20

Aggregate, 781.

A number of men in Major Lee's battalion have been detailed under General Orders, No. 96, Adjutant and Inspector General's Office, 1862, being unfit for field service by reason of wounds. This battalion is not distributed among the Congressional districts, but is ordered where most needed. It is composed of exempts and detailed men mostly.

SUMMARY.

State.	Conscript office and camp of instruction—officers.	Enrolling department.				Medical examining board.			
		Officers.	State officers.	Soldiers.	Conscripts.	Surgeons.	Assistant surgeons.	Physicians.	Aggregate.
Virginia	31	90	8	107	676	7	4	20	943
North Carolina	32	47	.....	14	750	9	.....	18	870
South Carolina	8	39	.....	64	90	4	4	10	219
Georgia	36	52	.....	663	.....	10	.....	20	781
Total	107	228	8	848	1,516	30	8	68	2,813

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, December 31, 1863.

Hon. JAMES A. SEDDON,
Secretary of War, Richmond, Va.:

DEAR SIR: I learn that large distilleries are in operation at Charlotte and Salisbury, in this State, making spirits of the tithe grain by order of the War Department. Upon application to the office of Major Badham, chief collector of tithes for this State, I learn that he has orders to deliver 30,000 bushels of grain to the distillers for this purpose.

In addition to the many and weighty reasons which could be urged against the abstraction of this much bread from the Army or the poor I beg to inform you that the laws of this State positively forbid the distillation of any kind of grain within its borders under heavy penalties. It will, therefore, be my duty to interpose the arm of civil law to prevent and punish this violation thereof unless you will order it to cease.

It seems to me that if spirits are so absolutely requisite to the Medical Department that grain sufficient might be procured in remote and plentiful districts, and leave for the use of the people every grain which is accessible. Be this as it may, I am sure you will agree with me in saying that no person can, under authority of the Confederate Government, violate State laws with impunity.

Very respectfully, your obedient servant,

Z. B. VANCE.

[First indorsement.]

JANUARY 5, 1864.

To SURGEON-GENERAL:

Have you the contract for the manufacture of spirits referred to? If so, report on quantity of grain and the necessity of the supplies.

J. A. S.

[Second indorsement.]

Respectfully returned to the Secretary of War with the information that the Medical Department has no contract for alcoholic stimulants in the State of North Carolina.

The distillery at Salisbury referred to by Governor Vance is owned by the Medical Department and is engaged in the manufacture of whisky and alcohol for the sole use of the sick and wounded of the Army. This distillery was purchased by this department for the purpose of dispensing with the system of contracting for alcoholic stimulants, as it has been found that a large quantity of whisky

manufactured by contractors is of an inferior quality, and their contracts were not in other respects faithfully complied with. It is also believed that a large quantity of the whisky made by contractors has been sold to private parties when it should have been delivered to the Government, thereby consuming more grain than was required to fill their contracts.

Major Badham has been instructed to turn over grain to the medical purveyor in charge of the Government distillery at Salisbury in order to obviate the necessity of this department going into market to purchase, which would enhance the price paid for grain by the Quartermaster's Department, and the 30,000 bushels referred to in the within communication is for a whole year's supply for the distillery. There is no distillery at Charlotte, N. C., belonging to this department, nor am I aware that there is one there. The Attorney-General has decided that the Confederate Government has the express power to support armies; that any means may be used which are necessary and proper to obtain supplies for that support. Therefore a State has no power to interfere with the General Government in the manufacture or even contracting for such supplies. In conclusion I would state that it is absolutely necessary for the comfort and welfare of the sick and wounded of our Army that the Government distillery at Salisbury should not be interfered with or the supply of grain cut off.

S. P. MOORE,
Surgeon-General.

Consolidated abstract from returns of the Confederate Army on or about December 31, 1863.

[Compiled from such returns as are on file in the War Department.]

Command.	Present for duty.		Aggregate present.	Aggregate present and absent.	Date of return.
	Officers.	Men.			
Army of Northern Virginia *a* (Lee)	3,530	42 966	53,995	90,055	Dec. 31, 1863
Department of Western Virginia and East Tennessee *b* (Jones).	842	9,803	11,836	19,599	Dec. 31, 1863
Department of Richmond (Elzey)	397	5,900	7,559	11,716	Dec. 31, 1863
Department of North Carolina (Pickett)	706	10,931	13,239	18,763	Dec. 31, 1863
Defenses of Wilmington, N. C. (Whiting)	306	5,758	7,299	9,215	Dec. 31, 1863
Forces in East Tennessee *c* (Longstreet)	1,502	15,362	21,286	44,173	Dec. 31, 1863
Department of South Carolina, Georgia, and Florida (Beauregard).	1 718	26,591	34,132	47,491	Dec. 31, 1863
Army of Tennessee (Johnston)	4,052	43,564	57,428	98,215	Dec. 31, 1863
Department of Mississippi and East Louisiana *d* (Polk).	1,624	18,813	24,639	44,132	Jan. 20, 1864
Department of the Gulf (Maury)	247	4,393	5,570	7,998	Dec. 31, 1863
Trans-Mississippi Department (E. K. Smith)	2,802	31,779	40,987	73,289	Jan. 1, 1864
Total	17,726	215,860	277,970	464,646	

a Exclusive of the Maryland Line, accounted for in the Department of Richmond, and Nelson's battalion of artillery and troops in the Valley District, for which there are no returns of an approximate date.

b Including Ransom's division, serving with Longstreet in East Tennessee.

c Exclusive of Ransom's division, reported in the Department of Western Virginia and East Tennessee.

d Designated December 23, 1863, by General Polk as the Department of the Southwest, but that designation was, on January 28 1864, changed by the C. S. War Department to the "Department of Alabama, Mississippi, and East Louisiana."

Principal officials of the War Department and its bureaus from July 1, 1862, to December 31, 1863.

[Compiled from official records.]

SECRETARY OF WAR.

George W. Randolph, to November 17, 1862.
Maj. Gen. Gustavus W. Smith (assigned temporarily), November 17 to 21, 1862.
James A. Seddon, from November 21, 1862.

ASSISTANT SECRETARY OF WAR.

Albert T. Bledsoe, to October 1, 1862.
John A. Campbell, from October 21, 1862.

CHIEF OF THE BUREAU OF WAR.

Robert G. H. Kean.

ADJUTANT AND INSPECTOR GENERAL.

General Samuel Cooper.

QUARTERMASTER-GENERAL.

Col. Abraham C. Myers, to August 7, 1863. (During a period of absence of the Quartermaster-General in the summer of 1862 Lieut. Col. Larkin Smith acted in that capacity.)
Brig. Gen. Alexander R. Lawton, from August 10, 1863.

COMMISSARY-GENERAL OF SUBSISTENCE.

Col. Lucius B. Northrop.

SURGEON-GENERAL.

Surg. Samuel P. Moore.

CHIEF OF ENGINEER BUREAU.

Capt. Alfred L. Rives, to September 24, 1862.
Lieut. Col. Jeremy F. Gilmer, from September 25, 1862, to August 17, 1863. (Was promoted to colonel October 4, 1862.)
Lieut. Col. Alfred L. Rives (acting), from August 18, 1863.

CHIEF OF BUREAU OF ORDNANCE.

Lieut. Col. (subsequently colonel) Josiah Gorgas.

SUPERINTENDENT OF NITER AND MINING BUREAU.

Maj. Isaac M. St. John. (Was promoted to lieutenant-colonel May 28, 1863.)

COMMISSIONER OF INDIAN AFFAIRS.

David Hubbard, to April, 1862[?].
S. S. Scott, from April 8, 1862.

SUPERINTENDENT OF CONSCRIPTION.

Brig. Gen. Gabriel J. Rains, from December 16, 1862.
Brig. Gen. Charles W. Field, May 25, 1863, to July 30, 1863. (During the illness of General Field the Bureau was in charge of Lieut. Col. George W. Lay.)
Col. John S. Preston, from July 30, 1863.

ALTERNATE DESIGNATIONS

OF

ORGANIZATIONS MENTIONED IN THIS VOLUME.

Alternate designation in black-faced type, the official designation, reference, or State to which organization belongs follows in *italics*.

Abe's Rejecters, Inf., *41st Miss.*
Adams Light Guard No. 1, Inf., *16th Miss.*
Adams Light Guard No. 2, Inf., *16th Miss.*
Adams' (R. L.) Cav., *Mississippi State.*
Agency Rifles, Inf., *14th Miss.*
Alcorn Rifles, Inf., *1st Miss.*
Almutcha Inf., *13th Miss.*
Amite Defenders, Inf., *33d Miss.*
Amite Guards, Inf., *33d Miss.*
Amite Rifles, Inf., *7th Miss.*
Attala Guards, Inf., *40th Miss.*
Attala Yellow Jackets, Inf., *4th Miss.*
Avengers, Inf., *10th Miss.*
Avery's (I. W.) Cav., *4th Ga.*
Bahala Rifles, Inf., *10th Miss.*
Bankston Guard, Inf., *4th Miss.*
Barr's (A.) Inf., *Miss. Local Defense.*
Barry Guards, Inf., *5th Miss.*
Barry Guards, Inf., *39th Miss.*
Beauregard Rifles, Inf., *18th Miss.*
Beauregard Rifles, Inf., *32d Miss.*
Beauregard Rifles No. 2, Inf., *14th Miss.*
Beckett's Company, Inf., *41st Miss.*
Ben Bullard Rifles, Inf., *10th Miss.*
Benela Sharpshooters, Inf., *4th Miss.*
Benning's (H. L.) Inf., *17th Ga.*
Benton Rifles, Inf., *18th Miss.*
Biffle's (J. B.) Cav., *9th Tenn.*
Biloxi Rifles, Inf., *3d Miss.*
Blackland Gideonites, Inf., *23d Miss.*
Blount Guards, Inf., *23d Miss.*
Bogue Chitto Rangers, Inf., *5th Miss.*
Bogue Chitto Rifles, Inf., *7th Miss.*
Boomerangs, Cav., *Miss. Local Defense.*
Bowen Company, Inf., *34th Miss.*
Boykin's (A. H.) Cav., *South Carolina.*
Brent Rifles, Inf., *38th Miss.*
Brown Rebels, Inf., *18th Miss.*
Buckner Boys, Inf., *32d Miss.*
Buckner Rebels, Inf., *30th Miss.*
Buena Vista Hornets, Inf., *24th Miss.*
Buena Vista Rifles, Inf., *17th Miss.*
Buford's (J. H.) Cav., *Mississippi State.*
Burnsville Blues, Inf., *17th Miss.*
Burt Avengers, Inf., *39th Miss.*
Burt Rifles, Inf., *18th Miss.*
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Carroll County Rebels, Inf., *4th Miss.*
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Carroll Minute Men, Inf., *30th Miss.*
Center Marksmen, Inf., *4th Miss.*
Charleston Batt., Inf., *1st S. C. Batt.*
Charley Clark Rifles, Inf., *12th Miss.*
Cherry Creek Rifles, Inf., *2d Miss.*
Chickasaw Guards, Inf., *11th Miss.*
Chickasaw Rifles, Inf., *11th Miss.*
Choctaw Guards, Inf., *15th Miss.*
Choctaw Rangers, Cav., *2d Miss.*
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Ferguson's (T. B.) Art., *South Carolina.*
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Foster Creek Rangers, Cav., *Miss. Local Defense.*
Franklin Beauregards, Inf., *7th Miss.*
Franklin Guards, Inf., *23d Miss.*
Franklin Guards, Inf., *33d Miss.*
Franklin Rifles, Inf., *7th Miss.*
Gage's (W. A.) Inf., *Miss. Local Defense.*
Gainesville Volunteers, Inf., *3d Miss.*
Gaines Warriors, Inf., *24th Miss.*
Gale Reserves, Inf., *29th Miss.*
Gartley's (W. F.) Cav., *Mississippi State.*
Gholson Guards, Cav., *Mississippi State.*
Goode Rifles, Inf., *7th Miss.*
Goodman Guards, Inf., *34th Miss.*
Grenada Rifles, Inf., *15th Miss.*
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